PRESIDENT : "As far as possible" is absolutely necessary to provide for such exceptional cases. Are you prepared to withdraw the resolution ?

MR. M. K. KHADIR PILLAI (*Nominated*) : Yes.

The resolution was by leave withdrawn.

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***Revision of the Constitution of the Sri Mulam Popular Assembly.***

PRESIDENT : Mr. Kunjitomman's resolution is as follows :

*This Council recommends to the Government that, with a view to enhance the usefulness of the Sri Mulam Popular Assembly and in order to make it more representative, all persons paying a yearly tax of one rupee or more be empowered to vote and that the Assembly be given the power to interpellate and move resolutions on all administrative matters.*

MR. TARIATU KUNJITOMMAN (*Muvattupzha*) : ശ്രീമൂലം പ്രജാസഭയുടെ പ്രയോജനത്തേയും പൊതുജനപ്രാതിനിധ്യത്തേയും അഭിവൃദ്ധിപ്പെടുത്തുന്നതിനായി ഒരു കുപാ കരംതീരുവയുള്ളവക്കെല്ലാം മെമ്പറന്മാരെ തിരഞ്ഞെടുക്കുന്നതിനു സ്വാതന്ത്ര്യം നല്കുണമെന്നും പ്രജാസഭയിൽ ചോദ്യങ്ങൾ ചോദിക്കുന്നതിനും പ്രമേയങ്ങൾ അവതരിപ്പിക്കുന്നതിനും അവകാശം നല്കുണമെന്നും ഈ യോഗം ഗവർൺമെൻറിനോട് ശിപാർശചെയ്യുന്നു. ഇതാണ് എൻെറ പ്രമേയം.

ഒന്നാമതായി ഒരുകുപാ കരംതീരുവയുള്ളവക്കുകൂടി വോട്ടവകാശം കൊടുക്കണമെന്നുള്ളതിൻെറ കാരണത്തെപ്പറ്റി പ്രസ്താവിക്കാം. രാജ്യത്തെ ജനങ്ങളിൽ വലിയ പങ്കും ഇപ്പോഴത്തെ നിലയിലുള്ള വോട്ടവകാശം ഇല്ലാത്തവരാണ്.

പ്രഭുക്കളുടേയോ അല്ലെങ്കിൽ ധനവിഷയത്തിൽ ഔന്നത്യമുള്ള ചില സമുദായക്കാരുടേയോ പ്രതിനിധികളാണ് ഇപ്പോൾ ശ്രീമൂലംപ്രജാസഭയിലധികമുള്ളതു്. ഗവർൺമെൻറിൽ നിന്നും താഴ്ന്നസമുദായത്തിൽപെട്ട ചിലരെ കൂടി തിരഞ്ഞെടുക്കുന്നുണ്ടെങ്കിലും അവർ ആ സമുദായാംഗങ്ങളാൽകൂടി തിരഞ്ഞെടുക്കപ്പെടുന്നവരല്ല. കഴിയുന്നതും എല്ലാ വർഗ്ഗക്കാർക്കും എല്ലാ സ്ഥിതിയിലുള്ളവക്കും ശ്രീമൂലംപ്രജാസഭയിൽ തങ്ങളുടെ പ്രതിനിധികളുണ്ടെന്ന് അഭിമാനിക്കത്തക്കവണ്ണം വ്യവസ്ഥചെയ്യേണ്ടതാവശ്യമാണ്. പുലയർ, പറയർ മുതലായവക്കും എല്ലാവർഗ്ഗത്തിലുമുള്ള സാമാന്യജനങ്ങൾക്കും തങ്ങളുടെ കാര്യങ്ങളിൽശ്രദ്ധിക്കുന്നതിനു തങ്ങൾകൂടി തിരഞ്ഞെടുത്തിട്ടുള്ള പ്രതിനിധികൾ ഉണ്ടെന്നു വിചാരിക്കു

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[President.]

വാൻ കഴിയുന്നത് ആശ്വാസകരമാണ്. അവർ വളരെ സങ്കടത്തിലും ബുദ്ധിമുട്ടിലും കഴിഞ്ഞുകൂടുന്നവരുമാണ്. അവരുടെ കാര്യങ്ങൾ ഇങ്ങനെയുള്ള സഭകളിലാണ് പ്രത്യേകം ശ്രദ്ധിക്കേണ്ടതു്. അവരുടെ സംഗതിക്കുടി ഗവർൺമെൻറിൻെറ ശ്രദ്ധയിൽ കൊണ്ടുവരുന്നതിന് ഈ വ്യവസ്ഥ പ്രേരകമായിത്തീരുന്നതാണ്. അവരുടെ സഹായം കുടി ഉണ്ടെങ്കിലേ പ്രജാസഭയിൽ വരാൻ സാധിക്കൂ എന്നുള്ള വിചാരം മെംബർമാർക്കുണ്ടാകേണ്ടതത്യാവശ്യമാണ്.

MR. N. PADMANABHA PILLAI (*Karunagapalli*): പുലയരുടെയും പറയരുടെയും ഇടയിൽ ഒരു രൂപായ്ക്കുമേൽ കരംതീരുവയുള്ളവർ എത്രയുണ്ടു ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): ഒരു രൂപ കരംതീരുവയുള്ളവരെക്കാൾ അധികമുണ്ടു്. കണക്കുനോക്കിയാൽ നിശ്ചയമായിപറയാം.

ഇതിനുംപുറമെ എല്ലാ ജനങ്ങൾക്കും രാജ്യകാര്യങ്ങളിൽ ഒരു പങ്കുണ്ടെന്നുവരുത്തുന്നതു് രാജ്യക്ഷേമത്തിനു ഏറ്റവും അത്യാവശ്യമാണ്. കാര്യക്ഷമതയോടുകൂടിയരാജ്യഭരണത്തിന് ഇതു സഹായമാണ്. തങ്ങളുടെ രാജ്യത്തിലെ ഭരണകാര്യത്തിൽ തങ്ങൾക്കും പങ്കുണ്ടെന്നും അതിൽ തങ്ങളുടെ ചുമതല നിർവ്വഹിക്കേണ്ടതാണെന്നും ഉള്ള ബോധം പൊതുജനങ്ങളിൽ വരുത്തേണ്ടതു് രാജ്യോന്നമനത്തിന് ഒഴിച്ചു വയ്യാൻ പാടില്ലാത്തതൊന്നാണ്. ജനങ്ങളിൽ ഭൂരിപക്ഷത്തിനും ഇപ്പോഴത്തെ വ്യവസ്ഥ പൊതുക്കാര്യപ്രസക്തിയുണ്ടാകുന്നതിനു തടസ്സമായി നില്ക്കുന്നു.

MR. N. RAMAKRISHNA PILLAI (*Vaikam cum Ettumanur*): ഓരോരുപാ കരംതീർക്കുന്നവർക്കേ പാടുള്ളുവെന്നതിനു കാരണങ്ങൾ വല്ലതുമുണ്ടോ ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): ഞാൻ അങ്ങനെ നിർബന്ധിക്കുന്നില്ല.

MR. N. RAMAKRISHNA PILLAI (*Vaikam cum Ettumanur*): കരംതീരുവയുള്ളവർക്കേ വോട്ടവകാശം കൊടുക്കാവൂ എന്നുണ്ടോ? കരംതീരുവവേണമെന്നു നിർബന്ധമില്ലെങ്കിൽ വളരെക്കൂടുതൽ ആളുകൾക്കു വോട്ടവകാശം ഉണ്ടാകുന്നതല്ലേ? ഒരു രൂപാ കരം എന്നുപറഞ്ഞതിനു വല്ല പ്രത്യേകകാരണവും ഉണ്ടോ ?

PRESIDENT: Are you asking why it is necessary to insist on any property qualification at all ?

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MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): Yes, Sir; and why the minimum of one rupee is fixed.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): ഒരു രൂപാ കരംതീരുവയുള്ളവക്കു തിരഞ്ഞെടുപ്പവകാശം കൊടുത്താൽ വളരെ ജനങ്ങൾക്കു മെംബർമാരെ തിരഞ്ഞെടുക്കുന്നതിനു വോട്ടുചെയ്യാൻ സാധിക്കും, ഒരു രൂപാ കരംതീരുവയില്ലാത്ത പ്രായപൂർത്തിവന്ന സ്ത്രീകൾക്കും പുരുഷന്മാർക്കും വോട്ടവകാശം കൊടുക്കുന്നത് അധികം നല്ലതാണു്.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): ഇപ്പോഴത്തെ കരം ഒരേക്കറിനു പുതുവലാണെങ്കിൽ ഒരു രൂപായാണു്. പണ്ടു് വസ്തുപതിഞ്ഞിട്ടുള്ളവക്കു ഒരു പണമാണു്. അവക്കുംകൂടി കൊടുക്കണമെന്നു മിസ്റ്റർ കുഞ്ഞിത്തൊമ്മൻ വിചാരിക്കുന്നുണ്ടോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): എനിക്കു് എല്ലാവക്കും കൊടുക്കുന്നതു സമ്മതമാണു്. പ്രായപൂർത്തിവന്നിട്ടുള്ള എല്ലാ സ്ത്രീകൾക്കും പുരുഷന്മാർക്കും വോട്ടവകാശം കൊടുക്കുന്നതിനു് ഒരുപ്രമേയം നിങ്ങൾ കൊണ്ടുവന്നാൽ അനുകൂലിക്കുന്നവരുടെ കൂട്ടത്തിൽ ഒന്നാമതായി കൈ പൊക്കുന്നതു ഞാനായിരിക്കും. അൻപതിൽ നിന്നു് അമ്പതു് ഒന്നായി കുറയ്ക്കാമെന്നുവച്ചു എന്നെയുള്ളൂ.

MR. C. P. KOCHUKUNJU PILLAI (*Kottarakara* cum *Kunnathur*): ഒരു രൂപാകരമാക്കിയാൽ പറയർ, പുലയർ മുതലായവരുടെ പ്രതിനിധികളെ ഗവർൺമെൻറു പ്രത്യേകം വയ്ക്കണമോ?

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): അതുവരോടു ചോദിച്ചു തന്നെ അറിയേണ്ടതാണു്.

ഏതായാലും ഇപ്പോൾ ഉള്ളതിനെക്കാൾ വളരെ കൂടുതൽ പൊതുജനപ്രാതിനിധ്യം ഉണ്ടാകുമെന്നുള്ളതു് നിസ്സംശയമാണു്. സാമാന്യ ജനങ്ങളുടെ ഇപ്പോഴത്തെ വിചാരം കേവലം ഉദ്യോഗസ്ഥന്മാരുടെ കായ്മാണു് രാജ്യകായ്മയെന്നാണു്. ഇവരിൽ പലരും ഉദ്യോഗസ്ഥന്മാരുടെ പാടുസവയും ചെയ്തു തങ്ങൾ ബുദ്ധിമുട്ടിയുണ്ടാക്കുന്ന പണത്തിൽ ഒരു വലിയ പങ്കും അവക്കു കൊടുത്തു് അവരുടെ ദാസന്മാരുടെ നിലയിൽ വളരെ കഷ്ടപ്പെട്ടു കഴിഞ്ഞുകൂടേണ്ടിവരുന്നു. ജനങ്ങൾക്കു പൊതുവെ തങ്ങൾക്കും രാജ്യകായ്മയിൽ പങ്കുണ്ടു്, തങ്ങളിൽ അനേകം ജനപ്രതിനിധികളെ തിരഞ്ഞെടുത്തയക്കാനുള്ള അവകാശമിരിക്കുന്നുണ്ടു്, എന്നുള്ള ബോധം ഉണ്ടാകുന്നതു് ഉത്സാഹകരമായ ഒരു കായ്മായിരിക്കും. പൌരബോധം ജനസാമാന്യത്തിനിടയിൽ വരുത്തുന്നതിനു ഇതു് ഒരു നല്ലവഴി

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[Mr Tariatu Kunjitomman.]

യാണ്. വാസ്തവത്തിൽ ഉദ്യോഗസ്ഥന്മാരിൽ ചിലരുടെ ദുസ്സ്വാതന്ത്ര്യപ്രവൃത്തികൊണ്ടും മറും സാമാന്യജനങ്ങളുടെ ആത്മാഭിമാനവും പൌരുഷവും നാൾക്കു നാൾ ക്ഷയിച്ചു കൊണ്ടാണിരിക്കുന്നത്. നമ്മുടെ രാജ്യത്ത് പൌരുഷവും ആത്മാഭിമാനവും ഉള്ള പൌരന്മാരുടെ സംഖ്യ വർദ്ധിച്ചാൽ മാത്രമെ രാജ്യത്തിന്നഭിവൃദ്ധിയുണ്ടാകയുള്ളൂ.

ചോദ്യങ്ങൾ ചോദിക്കുന്നതിനുള്ള അധികാരം നല്ലതാണെന്നാണല്ലോ പ്രമേയത്തിൽ രണ്ടാമതായി ഉദ്ദേശിക്കുന്നത്. അതിനുള്ള കാരണങ്ങളെ പറഞ്ഞു പറയാം. പ്രജാസഭയിൽ ഒരോ പ്രതിനിധിയും വന്ന് ഒരോ കാര്യങ്ങൾ പറയുന്നു. സ്കൂൾ വേണം, റോഡു വേണം, ആശുപത്രിവേണം എന്നൊക്കെ പറയുന്നുണ്ട്. ഇതിനെ സംബന്ധിച്ച് ഏറെക്കുറെ സഭാദ്ധ്യക്ഷനും മറു ഡിപ്പാർട്ട്മെൻറു മേലധികാരിക്കും അനുകൂല്യം കാണിക്കുന്നുമുണ്ട്. വാസ്തവത്തിൽ കീഴുദ്യോഗസ്ഥന്മാരുടെ അനുകൂല്യം കൂടാതെ ഇതുകൊണ്ട് വലിയ പ്രയോജനമുണ്ടാകുന്നില്ല. ഇതെല്ലാം കീഴുദ്യോഗസ്ഥന്മാരുടെ അടുക്കൽ സേവിച്ച് അവർ മുഖാന്തിരം മേലോട്ടെഴുതിയല്ലാതെ, മേലിൽ നിന്നു കീഴോട്ട് ആജ്ഞ വന്നു സാധിച്ചു കൊടുക്കുന്നത് ഇവർക്കു സുഖകരമല്ല. പലവിഘ്നങ്ങളും ഇവർ ഇടയ്ക്കുണ്ടാക്കും. കീഴുദ്യോഗസ്ഥന്മാർ മേലാവിൽ നിന്നും കിട്ടുന്ന ആജ്ഞയെ എങ്ങനെയും തട്ടിക്കളയാൻ വൈഭവമുള്ളവരായിക്കാണുന്നു. എന്നാൽ ചോദ്യരൂപേണ ഗവർൺമെൻറിനെ ഇങ്ങിനെയുള്ള സംഗതികൾ പ്രതിനിധികൾക്കു അപ്പപ്പോൾ അറിയിക്കാൻ സാധിക്കുന്ന പക്ഷം പലഗുണങ്ങളും ഉണ്ടാകും. അധികചോദ്യങ്ങൾ വരുന്നതിനൊക്കെ മുപടി പറയുക ഗവർൺമെൻറിനു കുറെ ഉപദ്രവകരമാണെന്നു സമ്മതിക്കാം. സമാധാനം പറയാൻ നിവൃത്തിയില്ലാത്തതിനു പറഞ്ഞില്ലെങ്കിലും തരക്കേടില്ല. എങ്കിലും പ്രതിനിധികൾക്കു ഗവർൺമെൻറിനെ അറിയിക്കാൻ സാധിക്കുമല്ലോ. ഇതു എല്ലാജനങ്ങൾക്കും പൊതുവെ ഗുണകരവും ഗവർൺമെൻറിനു കാര്യനടപ്പിനു വലിയ സഹായവുമായിരിക്കും. അതു കൊണ്ടാണ് ചോദ്യം ചോദിക്കാനവകാശം വേണമെന്നു പറയുന്നത്.

ഇനിയും പ്രമേയം അവതരിപ്പിനുക്കുന്നതിന് അനുവദിക്കേണ്ടതിനുള്ള കാരണത്തെപ്പറ്റി പ്രസ്താവിക്കാം. പ്രജാസഭയിൽ അധികം അനുദ്യോഗസ്ഥമെംബറന്മാരാണ. അതിനാൽ പ്രമേയങ്ങൾപൊതുജനങ്ങൾക്കുഗുണകരമായവമിക്കയുംപാസ്സായിഎന്നുവരും. അങ്ങനെപൊതുജനങ്ങളുടെ സാക്ഷാലുള്ള ഹിതമറിയാം. ഏതെങ്കിലും പ്രമേയം വലിയദോഷകരമെ

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ന്ന് ഗവർൺമെൻറിനെ തോന്നിയാൽ പാസ്സായാലും വട്ടകളയാമല്ലോ. എങ്കിലും കുറെകൂടി പൊതുജനാഭിപ്രായത്തെ വ്യക്തപ്പെടുത്തിക്കാണിക്കുവാൻ സധിക്കും.

മേൽപ്രസ്താവിച്ച കാരണങ്ങളാൽ പ്രജാസഭയുടെ പ്രയോജനത്തേയും പൊതുജനപ്രാതിനിദ്ധ്യത്തേയും വർദ്ധിപ്പിക്കുന്നതിനായി വോട്ടർമാരുടെ കരംതീരുവയോഗ്യത ഒരു രൂപായായി കുറയ്ക്കണമെന്നും വോട്ടുചെയ്യാം ചോദിക്കുന്നതിനും പ്രമേയങ്ങൾ അവതരിപ്പിക്കുന്നതിനും സ്വാതന്ത്ര്യം നല്കണമെന്നുമുള്ള എന്റെ പ്രമേയത്തെ മാന്യന്മാരായ നിങ്ങൾ ഏവരും അനുകൂലിക്കണമെന്നുള്ള അപേക്ഷയോടുകൂടി നിങ്ങളുടെ മുമ്പാകെ സമർപ്പിച്ചു കൊള്ളുന്നു.

Mr. P. K. NARAYANA PILLAI (*Ambalapuzha*): കരം കൊടുക്കുന്നപ്രജകളെ നിയന്ത്രിക്കുന്നതിനു കരം കൊടുക്കാത്ത ജനവിഭാഗത്തിന് അധികാരം കൊടുക്കുന്നതു നന്നെന്നു വിചാരിക്കുന്നുണ്ടോ?

Mr. TARIATU KUNJITOMMAN (*Muvattupuzha*): ഇല്ല. അധികം കരം കൊടുക്കുന്ന ന്യൂനപക്ഷക്കാർ കരം കുറഞ്ഞ ഭൂരിപക്ഷത്തെ നിയന്ത്രിക്കുന്നതു നന്നല്ലെന്നേ വിചാരിക്കുന്നുള്ളൂ.

Mr. V. KUNJUKRISHNA PILLAI (*Chirayinkil*): I second the resolution.

PRESIDENT: Will you kindly move your amendment, Mr. G. Parameswaran Pillai?

Mr. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I beg to move the following amendment:

*This Council recommends to the Government that they may be pleased to revise at an early date the constitution and powers of the Sri Mulam Popular Assembly on the lines indicated in the memorandum submitted by the members elected by this Council to serve on the committee appointed to revise the Draft Assembly Rules.*

I must thank you, Sir, for permitting me to move my amendment to Mr. Kunjitomman's resolution.

I must preface my remarks—

Mr. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I wish to know whether Mr. G. Parameswaran Pillai proposes to put his resolution in the place of the original resolution or—

PRESIDENT: It is only as an amendment to the other resolution.

Mr. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): He is not wording it in that way. He can move it only as an amendment.

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[President.]

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): My resolution is being moved as an amendment to Mr. Kunjitomman's resolution.

I was, Sir, the Honorary Secretary to the non-official committee elected by the non-official members of this House to serve on the Assembly Rules Committee. That committee submitted a memorandum on the subject to the Government. This memorandum gives a fairly full and clear indication of the popular view regarding the issue and it is only proper that the recommendations of the representatives of the House elected to serve on that committee—

PRESIDENT: I should like to know exactly what the nature of the amendment is. The House too would like to know it.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I am substituting this as my amendment.

PRESIDENT: Yo cannot substitute your resolution as an amendment. If it should be an amendment, it should amend a portion of the resolution that has been moved by Mr. Kunjitomman. If you are going to substitute Mr. Kunjitomman's resolution entirely by your own, it will not be an amendment.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I have been permitted to move this resolution which has been ballotted as an amendment to Mr. Kunjitomman's resolution.

PRESIDENT: Amendments can only be amendments and cannot abrogate the entire substantial resolution.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): In order to avoid the difficulty, I addressed a letter to the Secretary to the Council and I have received his reply to the effect that my resolution which is coming lower down on the agenda may be moved as an amendment to Mr. Kunjitomman's resolution. It is on that authority that I thought I could move—

PRESIDENT: That is true. But an amendment implies that it should not altogether replace or displace the substantial resolution.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): It is an amendment in this way. So far as Mr. Kunjitomman's resolution is concerned, it consists of three parts. To be specific, my own amendment seeks not only that these changes should be effected, but that further changes should be effected in the constitution and powers of the Assembly on the lines indicated.

PRESIDENT: More changes?

MR. G PARAMESVARAN PILLAI (*Neyyattinkara*): Yes.

PRESIDENT: So your amendment includes the points mentioned in the original resolution and adds other points?

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MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): It would be better if such other powers as are proposed to be added are specifically stated in the amendment itself.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): My amendment will run thus:

This Council recommends to the Government that with a view to enhance the usefulness of the Sri Mulam Popular Assembly and in order to make it more representative the Assembly be given the power to interpellate Government and to move resolutions on all administrative measures as are indicated –

PRESIDENT: "As are *mentioned*" would be better.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkarai*): —as are mentioned in the memorandum by the non-official members elected by this Council to serve on the Assembly Rules Committee.

PRESIDENT: Then you would omit the words, "all persons paying a yearly tax of rupee one or more be empowered to vote and –"

MR. G. PARAMESVARAN PILLAI (*Neyyttinkara*): Yes, I would omit that portion.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): I wish to know whether a substantial portion of the amendment can be moved for omission. In order that the House might be clear as to the scope of the proposed amendment, I would suggest that, instead of saying "such other powers as are mentioned, etc.", the powers be specified in the resolution itself.

PRESIDENT: That will be strictly in order. Will you kindly mention those powers, Mr. Paramesvaran Pillai?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): Yes, I can do that. My amendment is to omit the words "all persons paying a yearly tax of one rupee or more be empowered to vote" and add—

PRESIDENT: You include "and" also in the clause to be omitted.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkarai*): Yes, and add after "matters"

*"That the Sri Mulam Popular Assembly be made a statutory body, that the Legislative programme for each year be placed before the Assembly for the general discussion of the principles of the Bills with power to record its opinion by means of votes, that, except in regard to matters relating to the ruling family of Travancore and in regard to the existing relations of the State governed by the treaty with the British Government, the liberty of the members be unrestricted in their choice of subjects, that all measures of new taxation, including increase of existing taxation, be voted upon by the Assembly, that resolutions passed by the Assembly when approved by the Council be binding on Government, that an opportunity be given to the Assembly for the general discussion of the budget, that officials be allowed to take part in the discussion but not to vote, and that the franchise be suitably widened".*



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[Mr. G. Parameswaran Pillai.]

Sir, in regard to the recommendations contained in the memorandum, I feel bound to point out that they were arrived at unanimously among the members elected to sit on the Sri Mulam Popular Assembly Draft Rules Committee and that there has been substantial agreement with regard to most of these recommendations also on the part of the Deputy President who guided its deliberations.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Sir, I must take exception to that statement. My friend states that I was in substantial compliance with most of the recommendations. If he says that, it would not be fair to me and fair to the House. I give my friend perfect liberty to use the views that I expressed on some of the points covered by the resolution. To say that there has been substantial compliance would not be a statement of fact.

MR. G PARAMESVARAN PILLAI (*Neyyattinkara*): Of course, subject to the observation made by the learned Deputy President, I would say that, in regard to some of the recommendations set forth herein, there has been complete agreement on the part of the Deputy President with the other members who sat on that committee. I could refer to them in detail by quoting from a letter which contains that unanimous agreement. In the memorandum submitted by us, only the general principles have been referred to as was inevitably the instance.

The Assembly is now twenty years old and it would be superfluous for me to refer in this Council, which contains several veteran members who have done good work in that popular body, to its usefulness in the past or urge the need for its reform in the future. These are matters on which more or less complete unanimity prevails. The Draft Rules have been condemned as unsatisfactory throughout the press of the country and on public platforms. A meeting of the citizens in the Capital went, in certain respects, even farther than the modest demands made in the memorandum. The authors of the memorandum did not claim any originality for their proposals. And if they were inspired on the one hand by the Montagu-Chelmsford Reforms and by the Mysore Seal Committee Report, they were on the other hand supported in their recommendations by the considered views expressed in the Assembly and elsewhere by distinguished men. It should be granted that the members of the Assembly Commitee gained considerable support for the position they took in the representations made, among others, by my friend Mr. T. K. Velu Pillai at one of the recent sessions of the Assembly. Inasmuch as the committee felt bound to focus public opinion, they were guided in their recommendations only by such opinions; and my amendment mentions only those points on which there has been complete unanimity in the committee itself. The letter dated the 25th March, 1923, addressed to the Chief Secretary to Government by the Secretary to the Committee, says that a meeting of the committee was held on the 25th March, 1923, and that the committee are of opinion

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that the Assembly should have the power of discussing the State Budget before its introduction into the Legislative Council and that it is also desirable to empower the Assembly to put questions and move resolutions on matters of public interest.

In regard to the right of interpellation, moving resolutions and the general discussion of the budget, the learned Deputy President was at one with the other members of the committee; and in regard to the other matters contained in the memorandum all the five non-official members elected by this House were unanimous.

Now, Sir, our idea is to have two Houses with definite, and to a large extent, distinct functions; and as far as the work assigned to us permitted it, we have elaborately set out the reasons for widening the work of the Assembly in the memorandum. In order to make it public, it has been printed and copies have been circulated among my friends on this side of the House.

The Mysore constitutional reforms recently announced considerably support the demand for expansion of powers. No doubt, between Travancore and Mysore there is a difference. In Mysore, the Assembly is an older institution, while here the Legislative Council preceded the Assembly. Nevertheless, the limitations that are imposed by the provisions of the constitution of the Council make it imperative that we should have side by side two popular bodies with larger representation which will serve as a real index of popular feelings. I would only remind the honorable members on this side of the House that they have now no powers whatever either to suggest or to alter or to indicate any alteration in the constitution and powers of this very Legislative Council; and further, in regard to such important measures as the constitution of an Executive Council and the consideration of matters relating to harbours and similar subjects of vital importance, this Council has absolutely no power. On the other hand, it is noteworthy that in the Assembly similar questions of vital importance have been very boldly advocated and discussed by members and there were opportunities for the views of the people or their representatives being placed before the Head of the Administration.

Further, here we are in an anomalous position. For, the Head of the Administration, although he is the President of the Council, is not entitled to explain the measures and the policies of the Government unless he chooses to explain any matter that relates to any resolution before the House when it is being put to the vote.

People gratefully recognise that His Highness the Maha Raja has been very generous in the grant of popular rights. The Legislative Council, the Assembly itself, and the municipal councils mark in different degrees the willingness of His Highness' Government to seek and profit by the participation of popular representatives in the task of administration. The high standard of literacy, the general level of culture and the good work done by these popular bodies constitute irrefutable cases for the granting of more rights.

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[Mr. N. Ramakrishna Pillai.]

No doubt, we are in the middle of the first triennium of the expanded Council. It might be argued that it is too early to ask for more powers. My reply is that we were marking time for some years past, and that in these matters progress cannot be judged by the mere lapse of years. There are periods during which for one reason or another a wave of tremendous popular enthusiasm surges through the country. My contention is that the reforms which might have satisfied us two years ago are proving inadequte now.

The reform of the Assembly cannot be taken by itself. The demand for responsible government has been insistent for some time and the need for an Executive Council has been urged. In short, the constitution of the Assembly has to fit in with responsible government which might soon be evolved.

This is a matter in which this Council has a special duty. There is no gainsaying the fact that this Council is due, in a very large measure, to the representations made in the Assembly and it is only proper that this Council should repay its debt of gratitude by seeing that the powers of the Assembly are not attenuated or its usefulness impaired. For these reasons, I would recommend my amendment for the acceptance of the House.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): Sir, I have very great pleasure in seconding the amendment. I understand that the mover of the amendment was one of the members of the committee who recommended to the Government that, under the terms of reference made by the Government, they were entitled to go into the question of the reforms recommended by the resolution and the amendment before the House. This is a question of very great constitutional importance. One of the popular institutions in the country is the Sri Mulam Popular Assembly. It has been sufficiently long in existence and it has taken such deep root in the minds of the people that it is too late in the day now to say that no reforms need be introduced in the constitution of the Assembly. There had been a question with regard to the interpretation of the terms of reference made by the Government. It appears that the committee were of opinion that under the terms of reference, they were entitled to go into the question.

PRESIDENT: How is this relevant to the resolution or the amendment?

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): That arises with reference to the amendment.

PRESIDENT: It does not arise. You have got to discuss the merits of the amendment now.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): I was speaking about the terms of reference because two questions arise for discussion in this connection. First of all, there is the question whether the recommendations made by the committee are correct or whether they were entitled to make these recommendations. What

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recommendations were made by the elected members and whether the merits of the recommendations should be considered in this connection, is the question.

PRESIDENT: That is the point—the merits only.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): To explain the merits, I cannot but go into the question.

Anyhow, the question remains whether the reforms should be introduced in the constitution of the Assembly itself, and the reforms suggested are that the Assembly should be constituted on a statutory basis and that more powers and privileges should be given to the Assembly in order to make it more useful to the people. In view of the sufficiently long existence of the institution, I think it is absolutely necessary that the Assembly should be recognised by statute and powers given in order to make it more useful to the Government as well as to the people. The recommendations made by the committee had the approval of the public as seen by the representation made outside this Council and in the Popular Assembly itself during the last session in 1922. In view of the importance of the question brought before this Council, I believe the various aspects of the matter will receive sufficient consideration at the hands of the Government; and I hope we shall be in a position to come to a satisfactory conculsion after the discussions on both sides of the house are heard. With these observations, I support the amendment moved by Mr. Paramesvaran Pillai.

Mr. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Sir, I oppose the proposition of Mr. Kunjitomman for the reason that it seeks to put some persons on a ground of vantage while refusing to other sections of the people the right valued by Mr. Kunjitomman himself. He desires that the franchise should be extended to all those who pay a land revenue of one rupee per year. When I asked him a question whether the holders of land registered some years back who pay only one fanam per acre might get the benefit, Mr. Kunjitomman assured me that he would certainly be delighted to extend that privilege to them; but the resolution does not justify that view. If, Sir, a person who gets land registered this year and pays an annual tax of one rupee should get the privilege of electing a representative to the Sri Mulam Popular Assembly, one who has been paying tax during the last twenty-five years and who has been working the land to the advantage both of himself and of the State should certainly be given the right with greater readiness. Moreover, in Travancore, there are communities—the Brahmin, the Nair, the Ezhava and some Christians and Mahomedans and a good many other people—who live under the joint family system. According to the arrangement of the Revenue Department, it is only the head of the family which pays the tax that is entitled to vote although the property of the *tarwad* belongs to all. If Mr. Kunjitomman, in advocating the extension of the franchise to all those who pay an annual tax of one rupee, had also advocated some system by which the members of such *tarwads*

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[Mr. T. K. Velu Pillai.]

*and families* may also get adequate repesentation, I should have perhaps welcomed the idea. Mr. Kunjitomman wanted universal manhood, and speaking in the twentieth century perhaps, universal womanhood suffrage. Therefore, Sir, the proposal is defective and, for that reason I oppose the resolution.

With regard to the amendment, I confess, I am in a particularly delicate and difficult situation. Mr. G. Paramesvarn Pillai has, with great generosity, singled me out for praise and has classed me in that distinguished group of public men who have agitated for the reform of the Sri Mulam Popular Assembly. Sir, I am very sorry to use the first person, but in this case I am obliged to do so, because my friend has called my attention to my humble work. I have been for years a member of the Sri Mulam Popular Assembly and I have had the benefit of sitting in the Assembly along with several distinguished men, many of whom I see in this Council itself. I have had occasion to sit in that Assembly when it was presided over by several Dewans of great reputation and ability; and I may claim, Sir, that in the discharge of my duty as a member of the Assembly I have always asked for greater and greater privileges being conferred upon His Highness' subjects. As has been observed by Mr. G. Paramesvaran Pillai, in the 1097 session of the Popular Assemby, I criticised the Draft Rules, and the Dewan-President was pleased to say that the Draft Rules would be scrutinised in the light of the criticisms made by the members. I had also occasion to preside over an important conference held at Trivandrum some time back, and in that capacity I asked for larger rights being conferred upon the Popular Assembly. No time, Sir, will come when I or any of my friends, who have been advocating this, would retrace our steps. The Assembly has been brought into existence as a mark of royal generosity. I remember the time when the Assembly session used to be a matter for jubilation not only for the people in Trivandrum but for people throughout Travancore and even beyond our State. I have been several years a member of the Assembly and I for one have got a very great partiality for it. I shall not be a party to place the Assembly in a lesser position than this Legislative Council, although I have had the privilege of sitting in this Council also more than once.

But, while emphatically of opinion that the time has come when His Highness' Government should consider the question of the reorganisation of the Assembly, of putting it on a statutory basis and conferring upon it greater and more substantial powers, I must yet observe that I am unable to accept the amendment because the amendment does not convey to me clear ideas of reform. Allusion has been made to the memorandum forwarded to the Government by my esteemed friends of this Council who had been elected by ourselves to sit on the Assembly Rules Committee. I have had occasion to see it published in the papers, and this morning Mr. G. Paramesvaran Pillai handed a copy of the memorandum over to me. But whether I am familiar with the contents of

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this memorandum is not the question to be considered. We formally elected our representatives to sit on a committee. That committee has not formally forwarded a constructive scheme to the Government. If such a scheme has been forwarded to the Government, the Government have not informed us of what has been done.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): May I know whether that committee now exists or not?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): To my mind, it does not exist. I remember to have seen in the papers that the members of the committee have resigned. The question put by Mr. P. K. Narayana Pillai complicates the issue still further. If the Government had been pleased to place before this Council this valued memorandum, if the Secretary of that committee or any member of it had *formally* forwarded the memorandum to this House—of course, I do not say that it is the best way of doing the business—we should have been able to consider that question in some detail. That has not, however, been done. When, Sir, a proposal is made that we should take our stand—

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): വോട്ടവകാശത്തിനു എത്ര രൂപാ കരംഃവണമെന്നാണ് മിസ്റ്റർ വേലുപ്പിള്ളയുടെ അഭിപ്രായം?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I will answer him in the end after I finish this subject.

PRESIDENT: அவர் முடிவில் பதில் சொல்லுவார்.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): ഒരു രൂപാ എന്ന് ഏ)ന്റെ പ്രമേയത്തിൽ പറഞ്ഞിരിക്കുന്നതിനോടു യോജിക്കുന്നില്ല എന്നു പറഞ്ഞതുകൊണ്ടു ചോദിച്ചതാണ്.

MR. T. K VELU PILLAI (*Trivandrum* cum *Nedumangad*): I shall answer him now, although it is irrelevant to this part of the discussion.

PRESIDENT: No, not now.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I bow to the ruling of the Chair.

PRESIDENT: I do not think it arises now. You may answer him in the end.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): To continue the subject, if that had been done, my position would have been easy. We are now invited to take our stand on a document the constitutional position of which is not clear.

PRESIDENT: Mr. G. Paramesvaran Pillai has stated exactly what the amendments are.

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[Mr. T. K. Velu Pillai.]

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Mr. G. Paramesvaran Pillai has made allusions to the memorandum. Therefore I am referring to it. Mr. G. Paramesvaran Pillai has subsequently stated the particular points which he wants to emphasise. He alluded to Mysore where a similar scheme was under contemplation.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): The Mysore Reforms have recently been announced.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): He referred to the Seal Committee Report and therefore I say "under contemplation". I too read in the papers that a scheme has been promulgated by His Highness the Maha Raja of Mysore. I have been reading it up just now and I find that there is not much of co-ordination between the Assembly and the Council in Mysore.

It is not open to me, Sir, to criticise in any detail the promulgation of a law issued by one of the greatest princes of India. All that I wish to say is that the measure does not give us very clear ideas with regard to the way in which the Assembly is to be reformed. I have been looking forward to a scheme by which the work of the Assembly may be co-ordinated with that of the Legislative Council. Then, there is the question of interpellation. My friend Mr. G. Paramesvaran Pillai has observed that there is no perceptible originality in what the memorandum has laid down. That argument has been advanced by him to show that the position taken is a strong one. I accede to that argument. There is no necessity to give fresh powers of interpellation. The opinion expressed by Mr. V. P. Madhava Rao, our celebrated Dewan, has been quoted by me in one of my representations to the Assembly. I do not, therefore, repeat it now; but there is this to be remembered that while the Assembly was in session no man thought of resorting to an interpellation even after that. I am not aware of any instance in which Government refused to take note of questions put to them. With regard to resolutions, I am at a loss to find out what is the binding force of a resolution passed by the Assembly. It is at the most a recommendation. Suppose the Assembly makes one recommendation and the Council makes another. Who is to decide?

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I suggested that the resolutions passed by the Assembly when accepted by the Council should be binding upon the Government.

MR. T K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I speak in full knowledge of the view put forward by Mr. G. Paramesvaran Pillai. Suppose there is a tie arising between what the Council does and what the Assembly does. Who is to decide the question? I shall be the last person to advocate that the Government should be given that power. That will be creating a kind of dangerous autocracy in deciding disputes between the Assembly and the Council, the effect of which will be to put the Government on a most autocratic basis. For this reason, I object to that.

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In the Mysore scheme which I have just referred to, I find that the Assembly would have the right of generally discussing the budget. But they have no right of voting upon any particular item of expenditure. To take a practical case, Sir, the Assembly may pass a resolution that higher education ought to be encouraged. The Legislative Council will at once chime in with the scheme and a resolution even may be passed that higher education should be encouraged at all costs. But if, in the budget discussion, adequate provision for education is not made and if the Council cannot be persuaded to accept expenditure on educational buildings, the so-called general discussion by the Assembly loses all its force; and although the expression 'general discussion' of financial measures in the Assembly would certainly be a cheap ornament to the pages of the Statute Book, I think it will not give any substantial advantage to the State.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I wish to know whether Mr. Velu Pillai would be in favour of giving the Assembly more powers than even the general discussion in regard to the budget.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I may say, Sir, that I have considered the point. It is one of the most difficult questions to be decided; and during the last ten years, I have been looking forward to some great scholar or thinker who would come forward with a scheme which would satisfy all demands. Personally I have not thought out a scheme—at any rate, a scheme, which I may place before this Council seriously for acceptance. I am not speaking now of my endeavours to create a constitution, but I am only talking on the motion before the House. The motion before the House is deficient, because clear ideas of co-ordination between the work of the Assembly and the Council are lacking. I am jealous of the functions of either the Council or the Assembly being usurped by Government, because I think that the cause of democracy, which has been encouraged by His Highness the Maha Raja, should still further be encouraged, and because I do not want that the executive should be armed with power to create a split practically between the Council and the Assembly. I think it is my duty to oppose this resolution.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I wish to know whether Mr. Velu Pillai is agreeable to powers being granted in regard to the moving of resolutions on subjects which are eschewed from the province of the Legislative Council.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Certainly, I want greater powers to be given to the Assembly than have been accorded to the Legislative Council. I have myself been discussing in the Assembly questions which may have to be excluded from the Legislative Council. The Assembly has no such severe limitations to its powers. We have been speaking on various questions and the Government have not always come forward to say that we should not speak on religious and charitable institutions and such other subjects.



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[Mr. T. K. Velu Pillai.]

Therefore, I am in favour of larger rights being conferred upon the Assembly. According to the present rules, there may not be a binding force upon the Government as regards the decisions which may be arrived at by the Assembly. But I daresay that His Highness' Government will, in consultation with officials and non-officials and the country in general, be able to devise a scheme which will satisfy all our legitimate and just demands.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): May I know whether Mr. Velu Pillai would give us some idea of those larger powers which he is desirous of giving to the Popular Assembly?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I have already pointed out that I am speaking only on the resolution and the amendment now before the House. I do not claim for one moment the distinction of being an architect of constitutions. It is a very difficult matter. (*Laughter.*) I have made some study and have thought about the matter and I have also tried to benefit by the ideas my esteemed friends have given to the world. All the same, Sir, I do not feel I am a competent hand at constitution-making. If I come forward before the House with a resolution on the subject, if I lay before the House a scheme which I request you to accept and which is satisfactory to my ideas and which may be satisfactory to my friends, I shall be happy to do so. But at present I am not able to do so. That is, however, a different matter.

PRESIDENT: Time.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I have to point out one further fact. I shall not be a party to make the Assembly a hand-maid to the Legislative Council. I find in the Mysore Rules that the Assembly may send a few representatives to the Council. That means the Assembly is placed in a position of subordination.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I point out that the amendment does not contemplate any such change?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I am speaking on the general aspects of the motion. I hope it is perfectly relevant.

PRESIDENT: I would draw your attention to the time-limit.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I shall not take much time. I do not want the Council to be a superior body and the Assembly a subordinate one. The Assembly has done a lot of work and many of my distinguished countrymen have sat in the Assembly. Government have been profited by the deliberations of the Assembly. By that I do not mean that the Council is not doing any efficient and good work. The Council is doing very efficient and very good work. Otherwise, I would not think of coming and sitting here. (*Laughter.*) But what I say is that the Assembly should not be put in a position of subordination. It is a glorious heritage that we have had. His Highness has granted it unasked. It has been looked up to

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by the whole people of India and by successive Dewans with favour. The franchise for the Assembly is fixed at Rs. 50 while the Council franchise is Rs. 5. I am not at all in favour of the view that, in any scheme that may be devised for the improvement of our constitution, the Assembly should be placed in a position of any kind of direct or indirect subordination.

I am for reforming the Assembly, but I am not prepared to say that I can take my stand on a memorandum which is not formally before this House; nor am I able to accept particular details given by the mover with regard to reconstruction, because the element of co-ordination, the means by which the interference of Government may be prevented, the means by which the tie between the Assembly and the Council may be averted—these are not provided for. For that reason, I am not satisfied with the present scheme. I, therefore, oppose the resolution and hope that my friend Mr. G. Paramesvaran Pillai will in the very next session of the Legislative Council come forward with a really good and useful scheme which every patriotic Travancorean might be able to accept.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I know whether he will himself be prepared to do it?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): One question is not answered by another. Perhaps I may entertain an intention to do it, but I am not prepared to give my friend any assurance.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): വോട്ടവകാശം കുറഞ്ഞതു് എത്രരൂപാ കരമുള്ളവർക്കു കൊടുക്കണമെന്നാണു്?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): പെട്ടെന്നു് ആ ചോദ്യത്തിനു മറുപടി പറയാൻ പാടില്ല. ആ വിഷയത്തെപ്പറ്റി ഗാഢമായി ചിന്തിച്ചിട്ടുണ്ടു്. എന്നാൽ തീർച്ചയായ ഒരു അഭിപ്രായത്തിൽ എത്തീട്ടില്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): ഇപ്പോഴുള്ളതിൽ നിന്നു കുട്ടണമെന്നുണ്ടോ?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): ഒരിക്കലും ഇല്ല.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): കുറയ്ക്കണമെന്നാണോ?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): അതെ, കുറയ്ക്കുകയാണു് വേണ്ടതു്.

MR. N. RAMAKRISHNA PILLAI (*Vaikam* cum *Ettumanur*): May I know whether Mr. T. K. Velu Pillai will be able to indicate his views in regard to the line of reform that is desirable?

PRESIDENT: He has already said that he is not prepared.

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[Mr. K. C. Mammen Mappillai.]

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): My friend Mr. G. Paramesvaran Pillai referred to documents which are not formally before the House. I may also refer to the reports of the Assembly containing the speeches of very distinguished men. If I think of moving a resolution on the subject with the advice of my non-official friends, I may be able to formulate a scheme. I concede it is a very difficult question; and unless clear ideas are placed before us I shall not be able to support the proposition.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*): Is he opposing both the resolution and the amendment?

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): Yes, I oppose both.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industries, North*): Sir, I have been also a member of the Sri Mulam Popular Assembly for several years under successive Dewans. I have got a high opinion about the services rendered to the public of Travancore by the Sri Mulam Popular Assembly. What may be described as some kind of public opinion which may be taken into account by the Government was brought into existence only after the Sri Mulam Popular Assembly was inaugurated by Mr. V. P. Madhava Rao. Therefore, I for one am not prepared to say a word derogatory to the services of the Assembly; but in view of the fact that the Legislative Council has been recently expanded and made more useful and influential as my friends have already pointed out, very largely through the re-iterated representations of the Sri Mulam Popular Assembly members, I cannot reconcile myself to the perpetuation of a system in which the two assemblies will be often brought into conflict. As Mr. T. K. Velu Pillai has again and again been saying, it is a very difficult subject for any one to talk about. At the same time, one has to say what one honestly feels at this juncture. I have not understood any of my friends to say that the Assembly should be a more important body of men with regard to the functions assigned to it than the Legislative Council. The Legislative Council is designed to have a continuous existence, holding several sessions in the year, each session lasting for several days and transacting the business of legislation, criticism, etc., with very close scrutiny and continuous application. At the most, the Assembly is intended to focus public opinion and to pass resolutions to indicate the general trend of opinion in the country. We are all satisfied that the Legislative Council has not yet attained perfection. We are desirous that some of those subjects which have been removed from the purview of the Legislative Council should be brought within the scope of the subjects which the Legislative Council can discuss and pass resolutions upon; and we are also anxious that there should be some kind of responsibility towards the Legislative Council on the part of the executive. We hope that, as a natural result, as a natural development of

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the Legislative Council, an Executive Council will be brought into existence in the near future to which some members at least may be elected by the Legislative Council. Such being the case, if we try to develop the Assembly also along the same lines, I cannot see how we can avoid a good deal of overlapping of functions, conflict of views between the two Houses and waste of time and money. The only way in which a popularly elected Assembly can logically develop is along the lines of the House of Commons. I have been reading a good deal of literature on the development of the Mysore Assembly and other similar institutions. I think people have been beating about the bush to some extent about these matters. The development of these bodies is in some measure tending in the direction of the Legislative Council and the Imperial Parliament. If that is the case, eventually it will result in the formation of a bicameral system of legislature, just like the House of Lords and the House of Commons, and also other two-chamber governments in various other western countries. Now, whether such a bicameral system is desirable here is a doubtful point. I remember Mr. Asquith, one of the greatest authorities on constitutional questions and about whose liberalism, about whose popular sympathy, there can be no question, saying deliberately that he was not in favour of a bicameral parliamentary system. The House of Lords came into existence in the evolution of the British Constitution and nobody could get rid of that. Therefore, an attempt was made to clip its wings and to evolve order out of the chaos created by the constant conflict between the two chambers. Now, if that is admitted, I do not think it is desirable for us also to go in the direction which will eventually land us in the evolution of two chambers with co-ordinate powers. One principal object in view in desiring a second chamber—

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I point out that my amendment does not contemplate the giving of any legislative or formulating power to the Sri Mulam Popular Assembly?

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industries, North*): It does not; but I hope I am at perfect liberty to develop my argument in my own way. I do not say that Mr. G. Paramesvaran Pillai contemplates any such arrangement. If I am out of order, I hope the President will point it out, and I shall be ready to withdraw this statement.

PRESIDENT: Anyway there is a proposal to confer some such power on the Assembly because the amendment says that a resolution passed by the Assembly if accepted should have binding force upon the Government.

MR. K. C. MAMMEN MAPPILLAI: (*Commerce and Industries, North*): One principal object, I say, is that the first chamber, the popular chamber, having unlimited powers given to it, and liable in a gust of passion to enact far-reaching and subversive measures which, on second thoughts, they themselves may withdraw or modify, may be

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[Mr. K C. Mammen Mappillai.]

curbed in the exercise of its powers by a second chamber so that the first chamber may have time to pause and come to a deliberate decision. In Travancore, there is no such danger looming even in the distant future. We are all of us conscious that the powers of the Legislative Council are considerably circumscribed and it depends upon the Government as well as upon the behaviour of the members of the successive Legislative Councils, to what extent greater powers are to be conferred upon it. Such being the case, it seems to be obvious that there is no necessity for bringing into existence a second chamber to prevent any hasty legislation or any violent measures being rushed through by the Legislative Council. That is a consideration which would have appealed to me, but which does not apply to conditions existing in, or looming in the distant horizon of Travancore.

Now, another consideration which weighs very much with me is this. We know that the President has often remarked, and the members of Government have often complained, that a session of the Legislative Council involves the President, the Secretary, and the various heads of departments in a very heavy expenditure of labour and time. Each session of the legislature means immense preparation before the Council meets. We were rather dissatisfied that we were not having as many sessions of the Legislative Council as are necessary and would be desirable. The President explained that it was not because he did not also desire it, but because, owing to pressure of business, it was not possible to do anything more than what was done. Since the functions and scope of the Legislative Council have been widened, the work of the officers of Government and the Head of the Administration must have considerably increased. If the functions and scope of the Popular Assembly are also increased the strain must inevitably become greater. We all know that, as it is, each session of the Assembly involves very heavy labour and trouble for the members of the Government and also considerable expenditure. I cannot view with equanimity any aggravation of these necessary evils. Such being the case, I would say: "Either abolish the Legislative Council and give all the functions which you all consider necessary to the Assembly, if necessary, giving it any other name; or try your best to see that the Legislative Council becomes as perfect a body as you can make it." I cannot reconcile myself to the wisdom of cumbering such a small country as Travancore with two representative assemblies. I should prefer that the one or the other is done away with.

But the Assembly has come into existence, and I do not think it desirable that we should go back on what has already been done, and, therefore, the Assembly may be allowed to exist *as it is*, without further development of its scope but with such minor changes as experience has shown to be necessary for making it more representative and less cumbersome. I was content with most of the draft rules published by Government for the reorganisation of the Assembly.

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That is my personal view of the matter, howsoever unpopular it may be. I advocate this view not because I am a member of this Council nor because I have any hope that I shall be a perpetual member here. I have had the honor of representing the people in the Assembly and I hope I may again be privileged to represent some constituency in the Assembly. But, as a citizen of the country, as a disinterested observer of the development of the constitution, I strongly feel that any further expansion of the Popular Assembly will not be conducive to efficient administration. I do not deny that the desires and wishes of the people should be understood by the executive. That is the one important function of the Assembly. This function is now being discharged by the Legislative Council also. Besides it is inadvisable to push too far in any one direction at the sacrifice of other equally important matter. The ordinary routine work of the administration also has to be very carefully attended to. After all, it is there that the administration justifies itself. There are lakhs and lakhs of people whose wants have to be attended to and whose grievances have to be redressed. So many cases have to be considered carefully and decisions arrived at. Now, if the demands of these elected bodies are increased, it goes without saying that the attention of the executive will be diverted from other equally important work. That is a state of things which, I am sure, nobody would desire to bring about. Therefore, personally, I should think that the Assembly should be allowed to remain as it is, and that all possible measures should be adopted to perfect the machinery and improve the scope and function of the Legislative Council.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): മൊട്ടുമേൽ ശത്രുപ്പറി എന്താണ് അഭിപ്രായം?

PRESIDENT: He has not said anything about that.

MR. PAUL V. DANIEL (*Agastisvaram*): Sir, my friend Mr. G. Parameswaran Pillai wants, among other things, that the Assembly should be given the power of discussing the budget before its introduction into the Legislative Council, that it should be given the power of putting questions and moving resolutions on matters of public interest, that resolutions passed by the Assembly when approved by the Council should be binding on the Government, and that all measures of new taxation should be voted upon by the Assembly. To me it appears, Sir, that the adoption of these reforms would be to strike at the very root of the constitution of the Government and to trespass into the domain of the prerogative of the sovereign. If such a thorough change is found necessary, it shall have to come as a gift from the sovereign. Further, these reforms, affecting as they do not only the constitution but also the functions of the Assembly, necessitate the presence and participation in the Assembly of official members. Even as matters stand at present, it is said that the ordinary work of the various departments suffers to some extent owing to the time taken by the staff in the preparation of statements and answers to the numerous questions that are asked by this side of the House.

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[Mr. Paul V. Daniel.]

MR A. HOOGEWERF (*Nominated*): Did not these questions serve to improve the Government?

MR PAUL V. DANIEL (*Agastisvaram*): Certainly. If the powers of interpellation and moving resolutions are also given to the Assembly, the strength of which is treble that of this side of the House, it will not, as matters stand at present, serve any good purpose and will only embarrass the Government, taking into consideration such facts as the very large number of questions that may have to be answered, the resolutions that may have to be discussed, the length of time that would be necessary to discuss them, the extra cost that may have to be incurred in this connection and various other consequences that would arise therefrom. I think, such reforms as, "that resolutions passed by the Assembly when approved by the Council should be binding on the Government," and "that all measures of new taxation should be voted upon by the Assembly," would, if adopted, completely change the present constitution of the Government; and, as I have already observed, this ought to come by way of a gift from our sovereign. Sir, I do feel with the learned members of the committee when they say that—

"The name of His Highness the Maha Raja is indissolubly connected with the Assembly, and sentiment which plays a large part in human affairs requires that it should not be whittled down or reduced to a postion of comparative impotence".

But, as for this, Sir, I fail to see whether there exists any useful institution in Travancore which is not virtually indissolubly connected with the name of our beloved and revered sovereign, His Gracious Highness the Maha Raja of Travancore. All that I want, Sir, is that due respect should be paid to the prerogative of the sovereign.

Sir, before one advocates the opinion that the Assembly should be reformed on the basis suggested by the learned members of the committee, a careful and thorough study of such questions as the following is absolutely necessary. Whether under the existing circumstances, the enlargement of the powers of the Assembly would serve any useful purpose or would only embarrass the Government; whether the existing state of affairs would justify the introduction of two chambers in the State of Travancore; whether such chambers existing in countries elsewhere do really turn out good work; whether we require a second chamber to support or correct this chamber; whether we should not work the reformed Legislative Council sufficiently long to see how best its defects might be cured by reforming the Assembly; and whether, now, Dewan Mr. V. P. Madhava Rao or any one else would support the views of the learned members of the committee, in consideration of the present constitution of this House and other circumstances existing at present in Travancore—these and similar questions have to be studied thoroughly with great care and caution. I do not, for a moment, say that the draft revised rules are perfect and do not admit of any change alteration or addition. Such changes as would not interfere with the

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present constitution of Government and would be really useful to the public at large should, by all means, be introduced.

One thing which is really wanted is an enlargement of the franchise for election to the Assembly and this is one of the most important requests repeatedly made by several members of the Sri Mulam Popular Assembly. A study of the various members elected to the Assembly from year to year would go to show that people of certain communities, interests or opinions invariably predominate.

The Assembly was created by notification for a special purpose. We have to see if that purpose is being properly served. If not, we should concert measures only to improve it.

I am therefore of opinion that the resolution would have been acceptable if it had been worded thus :

" This Council recommends to the Government that they may be pleased to revise at an early date the constitution and powers of the Sri Mulam Popular Assembly taking into consideration the views of the members of this House and the public at large. "

REV. FR. KURIAKOSE VETTIKKAPALLI (*Todupuzha* cum *Kunnatnad*) : Sir, every one admits that the Assembly has been doing very useful work; but the present franchise under which only those who pay a tax of Rs. 50 and more could vote for the Assembly, is indeed too high, and to a considerable extent, it frustrates the scope of the Assembly, which on account of this restriction is not sufficiently popular nor representative. Therefore, to make the Popular Assembly a really popular and representative institution, the franchise must be widened as far as possible. I do not think it will be too much to request the Government to extend the franchise, as the mover says, to all persons paying a yearly tax of one rupee. I would heartily support this part of the resolution.

But, I do not stand for the other powers being given to the Assembly. Now, this reformed Council has been given powers of interpellation and of moving resolutions and other ample powers, and very free use of them is being made here. To confer the same powers on the Assembly would mean duplication of work. I am one with Mr. Mammen Mappillai in saying that that would mean additional expenditure and involve dislocation in the work of administration with no corresponding benefit. Therefore, if the democratic desire of the people is not satisfied by the powers conferred on the Legislative Council, I would suggest that more powers be given to this Council, especially in the matter of allowing more time to non-official business, so that ample opportunity may be granted for the exercise of these powers. With these remarks, I oppose the other portions of the resolution.

MR. S. KRISHNA AIYAR (*Mavelikara* cum *Kartigapalli*) : Sir, this is one of the most important propositions we have had before the House. Its purpose is the formulation of a constitution for Travancore. We have now two bodies - one termed the Sri Mulam Popular Assembly which has been brought into existence by the executive and, which, we



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[Mr. S. Krishna Aiyar.]

may say now, lives under sufferance. We have also a Council—a statutory body with definite powers. Comparing the powers, work and functions of the two bodies side by side, we find that the utility of the Assembly has gone, as the one is merged in the other. Taking the question of franchise alone, the number of voters for the Assembly who pay a tax of Rs. 50 and above, as against the number of voters to this Council who pay a tax of Rs. 5 and above, is so arranged and the latter is so large that the electors to the Assembly are merged in the larger number of electors to this Council.

Secondly, so far as the powers or functions are concerned, the unction of the Assembly is only that of making representations. In the Council, we have certain powers of control over finance, over legislation, and we have also the power of initiating resolutions and bringing them forward in such a manner that the Government will be bound by them. Thus, a similar function of making representations has got dissolved or annihilated into the larger powers that we now enjoy in this Council. I may also submit that the power or position of the President in the Assembly is extremely delicate. The representations made in the Assembly mainly converge on finance. The control of the purse, at least theoretically, vests in this Council, and the President of the Assembly is not. herefore, competent to do anything in the way of granting the representations made in the Assembly. The proper body or individual to preside over the deliberations of the Assembly is the Legislative Council, because the Legislative Council has the control of the purse and it alone can act or refuse to act in respect of the representations made, most of which converge on finance. Therefore also the function of the Assembly is practically gone.

We have now two bodies elected by the people, a larger body to make representations and a smaller body to act. Thus reviewing the position as they are now, we find no function for the Assembly.

The only question left to us is whether we have to give it its final quietus or whether we have to mend it. Mr. Mammen Mappillai has given us a learned disquisition as to the difficulty of working the two bodies—the bicameral system—in a small State like Travancore. It will not only be difficult; it will be extremely unnecessary to have two popular bodies side by side with possibly similar or parallel powers. If one body is subordinate to the other, then the subordinate body is superfluous. There is nothing to be gained in retaining a superfluous body that has outlived its usefulness. Outside Travancore also, two bodies working side by side have not been producing very desirable results. I may instance the case of the Council of State and the Legislative Assembly elsewhere. Even in respect of the House of Lords, the best opinion at the present day seems to be that it is time that the House of Lords were ended. After all then, so far as the present position goes, it is only a matter of popular sentiment as to whether the Sri Mulam Popular Assembly should not be allowed to continue. It cannot

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do any useful work under the present arrangement. If so, I put the question, what is to be gained by making it a statutory body unless it has definite functions and duties to perform? There is no use in retaining it for the sake of public sentiment.

Mr. Paramesvaran Pillai has given us a number of ideas whereunder useful powers might be given to the Sri Mulam Popular Assembly. The first one that he mentioned was in the words of the memorandum: "Foremost amongst our suggestions is that the Assembly should be a statutory body." Now, why should it be a statutory body unless it be for a definite programme of work? The functions he wants the body to do are contained in the following items in the programme. He says:

"The legislative programme for each year should be placed before the Assembly for the general discussion of the principles of the Bills, with power to record its opinion by means of votes, and such opinions shall be communicated to the Council."

Now, so far as this function goes, it appears to me that the Popular Assembly is to be a mere discussing body, a sort of conveyance to the upper or more important House. I do not see how a mere discussion of any measure is going to benefit anybody.

The second point that he urges is:

"The Assembly shall have also the right to be consulted before any measure, not included in the legislative programme or passed by the Council, is submitted for the sanction of His Highness the Maha Raja."

With such a sweeping, indefinite and vague general statement, it is impossible for one to exactly postulate the contingency illustrating where any such powers may be used. I find it so very vague that it is impossible to say what it might or might not include.

The third point that he refers to is that the Popular Assembly members should not be restricted in their choice of subjects. The choice or discussion of subjects depends only upon the function that may be usefully performed. Really it is only a subsidiary matter. If useful work can be done, then we need not care much for the choice of subjects.

Then he says:

"All measures of new taxation, including increase of existing taxation should be voted upon by the Assembly, particularly as in regard to taxation the Legislative Council has but a feeble voice."

I think this is the most important item in the programme that is delineated to the House, *viz.*, that the right of taxation, or the right to impose new taxes, as he puts it, must vest in this popular body. In a consideration of the future constitution of Travancore, it would not do for us to consider these matters off-hand. Months of study and serious thought are necessary to enable one to make a workable programme as regards functions or duties to be discharged by popular bodies. In Mysore there are two bodies sitting side by side. With due deference, it may be said that they are not doing very satisfactory work. It may be that we are carried off by what we see in public

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[Mr. T. Lakshmana Pillai.]

papers; but after all we do not find that any definite duty is discharged by the two bodies that have been created.

The next item that you find is:

"Resolutions passed by the Assembly when approved by the Council should be binding on Government."

There we find that Mr. Paramesvaran Pillai's ideas are entirely new. He tells us there that the Sri Mulam Popular Assembly is entirely a subordinate body. He tells us there that they may pass resolutions and submit them to the upper House, *i. e.*, ourselves, and that when we approve of them they should be binding upon the Government. Now, as I once before put it, what is the use in retaining a subordinate body with no power of initiative? It has only the power of passing it on to ourselves.

These, I find, in the main, form the programme that has been put forward by Mr. Paramesvaran Pillai. In respect of the constitution suggested by him, I hope he will excuse me when I observe that the proposals have not gone beyond the stage of 'crude'. More attention and more study might be necessary, nay, are certainly necessary, before advancing a programme for ourselves. I am in entire sympathy with Mr. Kunjitomman and Mr. Paramesvaran Pillai in respect of the necessity for popularising the constitution of Travancore and giving the people more powers, but I fear that this is not the way to do it. We have to bestow more thought on the subject and put forward more definite schemes. Then we may be able to do it more effectively.

When I make these observations about the Sri Mulam Popular Assembly, it might be supposed that I might have had nothing to do with the Assembly, and that, therefore, I might say anything about the functions of the Assembly. I may tell the House that I am one of the oldest members that took part in the Assembly. I was one of the first elected members of the Assembly in 1081, and I was also a representative in 1082. I have been closely observing the work of the Assembly, and I can say that, since the inauguration of this Council, its work and utility are entirely gone. Therefore, the question is whether we are to sound its funeral note or to mend it. To mend it, however, this is not the way.

MR. T. LAKSHMANA PILLAI (*Nominated*): Sir, I am not in favour of the extension of the franchise for representation in the Popular Assembly, as the necessity for it, at present, has not been proved. Why the power to vote should be limited even to persons paying a yearly tax of one rupee or more is not clear to me. The power to interpellate and move resolutions now rests with this Council and there is no reason why this power should be extended to the Popular Assembly, especially when the resolutions moved in this Council range over all conceivable varieties of subjects. If any subject has been excluded from the purview of the Council for any reason, the same reason would apply to its exclusion from

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that of the Popular Assembly also. It is, therefore, an unnecessary reduplication of work and I am afraid it will lead to complications, conflicts and overlapping of jurisdiction between this Council and the Assembly, to say nothing of the unnecessary waste of time and energy of the official members concerned in the consideration of the resolutions, etc., in both these bodies. The revision of the constitution and power of the Sri Mulam Popular Assembly may, I think, be left to the judgment and discretion of the Government, as that generous body, to which we owe the very creation of the Legislative Council and the Assembly, may be trusted to do more that is needed for the progressive requirements of Government. At present, a resolution of the kind proposed appears to me to be premature. I therefore oppose the resolution.

MR. M. R. MADHAVA VARIAR (*Chenganmur* cum *Pattanamtitta*): Sir, I have not had the fortune to be a member of the Assembly. So, I am not bound by any sort of tie or sympathy towards the Assembly. But I am one who is interested in the reform of the Assembly. Now the Popular Assembly is considered to be a body of petitioners and preachers. No doubt, the Popular Assembly has done much good to the State, but, at present, with the growth of public spirit in the country and with the reform of the Legislative Council, it has outlived its usefulness. Though I am in favour of reforming the Popular Assembly, I do not agree with the scope or object of this resolution. I believe that the Popular Assembly should be reformed and reconstituted in such a way that it must have control over the executive and it must make the Government responsible to the people. That is the ideal to be kept in view in the reconstitution or reformation of the Popular Assembly, and to reach that ideal we must formulate a scheme, and that scheme is not contained in the resolution or in the amendment proposed.

The resolution contains three propositions. That is, firstly, the franchise must be extended, secondly, the Council must be given the right of moving resolutions, and thirdly the right of asking questions. Now, the right of moving resolutions and the right of asking questions are conferred on this Council. Members of this Council represent almost all the taluks in the State and the Council meets three or four times a year. So, the members of this Council have got the opportunity to ask various questions and to move resolutions. The Assembly, according to the present constitution, will meet only once in a year, and the questions put and resolutions moved there, I think, will not be more helpful to the people.

Then, it is proposed that the resolutions moved in the Popular Assembly and accepted by this Council must be binding on the Government. Certainly, I believe that the resolutions of a popular body must be binding upon the Government and it must not have only a recommendatory value. If it is to be binding, the executive must be removable by the Council and responsible to it. (*Hear, hear.*) Then only can the resolutions be binding on the Government. Otherwise there will a deadlock in the

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[Mr. V. Subba Aiyar.]

administration. So, in considering these questions, we have to consider wider questions also to frame any scheme.

I am not a believer in the bicameral system of legislature. It might be the fashion now-a-days. But why do we adopt a fashion which is not useful? What is the use of putting the same questions in two assemblies?

But even though I oppose the resolution and the amendment, I say that a committee of official and non-official members must be constituted to frame a scheme to reform the Popular Assembly or the Legislative Council. If the Popular Assembly is not wanted, the Council must be reformed and more powers must be given to it. That is my idea with regard to the reform.

I do not think that it is perfect, but my idea is that the Popular Assembly must meet very often and the members may be paid and they may be asked to work just as other public servants of the State, or just as members of Parliament in England. When the Assembly meets, it must sit every day during a particular session daily for two or three hours, and every question concerning administrative principles should be periodically discussed in the Assembly. The Ministers or other persons who control the executive must be elected by the Popular Assembly and they must also be responsible to it. Further, the Judges of the High Court must be elected by the Popular Assembly from among the experienced lawyers. If such a scheme can be formulated with a view to reach that ideal, I think it will be acceptable to the whole country.

MR. V. SUBBA AIYAR (*Additional Head Sikar Vakil*): Sir, my task with reference to this resolution has been considerably lightened by the observations made by my learned friends on the other side. Various objections that I wanted to raise, have been to some extent anticipated by the members who have already spoken. Anyhow, I will try to place a few facts to show that neither the resolution nor the amendment can be accepted.

In the first place, while the resolution wants to lower the franchise from Rs. 50 to Re. 1, the amendment will leave it in a vague way, *viz.*, widening it in a suitable way. So far as the lowering of the franchise is concerned—whether it is one rupee or not—that it is acceptable to the Government will be clear from the fact that in the Draft Rules it has been proposed to fix the minimum qualification at Rs. 5. Government are not against the lowering of the franchise; but whether it should be one rupee or not is a matter for consideration again.

Then, with reference to the other portion of the resolution or the amendment, I think it is necessary to state that the Assembly itself was originally constituted with a view to know the wishes and wants of the people at first hand and also to intimate to the people from time to time the policy of the Government proposed to be followed thereafter. In order, therefore, that there may be a closer touch between the people and

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the Government, the Assembly was first organised. The Legislative Council in those days, consisted of a very small number of members and consisted of an official majority and was entrusted with only legislative work. Therefore, so far as administrative matters were concerned, with a view to know what the views of the people were, the Government thought it fit to constitute a Representative Assembly. In that way the Assembly has been working for the last twenty years. From what I have said, it will be clear that the object of the Assembly at the time of the constitution and the function that it has been exercising ever since, was only that of representation and nothing else.

It is by way of representation that the Assembly has been trying to place before the Government the various wishes of the people and it is by way of representation that we have achieved a good deal. What it has achieved, I need not reiterate, because it is conceded that considerable achievements have been made and the memorandum to which Mr. G. Parameswaran Pillai has referred lays down in paragraph 9 :—

"In several matters it has given the initiative for reforms, while in others it has strengthened the hands of Government in carrying out much-needed reforms. The abolition of the system of taxation in kind, the expansion of the powers of the Legislative Council, social legislation relating to Nairs, Christians and Ezhavas and Nanjanad Vellalas; numerous educational reforms, extension of the railway, imposition of the income-tax, development of trade, industries and agriculture, the reorganisation of the Devaswoms and State charities; the separation of the Devaswom from the Land Revenue Department; the increasing representation of educationally backward communities in the public service and the removal of social disabilities;—these and many other matters of importance may be mentioned to be the outcome of representations in the Assembly."

That shows that much creditable work has been done by the Assembly and it will be conceded that the want of statutory recognition did not in the least affect its utility, because its function was only that of representation. Then Mr. T. K. Velu Pillai referred to the power of interpellation. If by interpellation was only meant information, any information wanted by any member of the Assembly was given then and there or sometimes afterwards. If by interpellation is meant, eliciting information for the information of the member, then it was supplied. But if by interpellation is meant interpellation as we now understand it, *viz.*, framing set questions and answers, then that was not what was contemplated to be done by the Assembly.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): What has the Law Member to say about the subjects which are prohibited from being discussed in this House and which may be discussed by the Assembly?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): When those subjects are discussed they are discussed not in the way that resolutions are discussed here. The general sense on the question and the results of the discussion are given effect to.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): How was it known without division?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): I do not think any division is necessary on this resolution itself

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[Mr. V. Subba Aiyar.]

because the members have expressed themselves in unmistakable terms and we know what the result will be. An important matter is not confined to one session only. It may come up at successive sessions If it is repeated by various members, the Government take it that the people have got a real grievance in the matter and then they give effect to their wishes. This means that formal division is not necessary.

MR. A. HOOGEWERF (*Nominated*): If the extra subjects now discussed by the Assembly are discussed here, will there be any necessity for the Assembly?

PRESIDENT: That is a hypothetical question.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Strictly speaking, we are prohibited from discussing the provisions of the Legislative Council Regulation or the rules thereunder. Therefore I cannot say whether the powers of this Council should be increased or not.

Then, with reference to budget discussion, I may say that the Assembly has been exercising the right of criticising the financial policy of the Government from time to time. And I would appeal to my friend Mr. Kumara Pillai who, year after year, has been discussing and criticising the financial policy in the Assembly almost at every session, to say whether his criticisms have been ineffective. If by general discussion it is intended that any purpose should be achieved, that is achieved even now. Any general criticism will not be of much avail and can be given effect to only later on and not in the very budget under discussion. Every representation made by the members of the Assembly is being, as far as possible, given effect to when framing the budget next year, so that, I do not think that what is now intended is that the Assembly should merely exercise the power which it does now exercise. My friend, I think, wants that it should be given a statutory power. Whether it is necessary or not I will presently explain.

Now, in the first place we have to take into consideration one important circumstance. As has been pointed out by one member, our Legislative Council is the older of the two institutions and the Council has been given enlarged powers. In Mysore, the Assembly had already been given the right of interpellation, the right of moving resolutions and also expressing general views on the budget. Therefore, when the Legislative Council had to be reorganised, the powers vested in the Assembly could not possibly be withdrawn, and the difficulty the Mysore Government were labouring under was how best to reconcile the two Therefore, it was announced by the Mysore Government that the number of members would be increased and the Assembly will also be given certain powers. That announcement was made because it was not possible to go *behind* the reform that had already been made or withdraw the powers already conferred, so far as the Assembly was concerned. Now when the question of reform began to be considered and discussed in a

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its aspects by constitutional lawyers they pointed out the inadvisability and undesirability of pushing the matter forward. If anybody reads the Seal Committee's Report, he will find that the President was at his wit's end to give a possible solution. An eminent constitutional lawyer like Mr. Seal, well acquainted with oriental constitutions also, tried to find out some scheme whereby some effect may be given to it. Therefore we should not be carried away by the fact that the Mysore Government made some constitutional reforms and therefore we are to follow it. When we have this House with certain powers for interpellating the Government, for moving resolutions and also for passing bills, which, unless, under exceptional circumstances certified otherwise by the Dewan, will be law ordinarily, when we have got all these powers, the question how to modify the existing Assembly and give it a statutory recognition does not at all arise. If it is intended that it should be one of the chambers in a bicameral legislature, one can understand it. It may be pointed out that even in the Provinces of British India, which have much larger area and population, a bicameral legislature has not yet been adopted, and that, for a considerable time to come, difficulty will be experienced in finding a sufficient number of qualified men for both the Houses. A bicameral Legislature is unsuited to an India State. I only wish to read to the House what the Seal Committee's Report says on the matter:

14. "The population and the size of a State, its historic tradition or its imperial or federal character, may sometimes demand a double chamber. Such conditions are wanting in Mysore. On the other hand, a compact and not unwieldy population, and a comparatively simple socio-economic structure, without marked differences of economic level and without big land-holding or feudal interests, would naturally point to a single chamber. A double chamber here would be economically wasteful, and politically unsound. It would breed friction and dissension without corresponding gain in deliberation, and is also likely to produce congestion and a morbid hyper-excitation in the body politic."

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18. "To turn the Representative Assembly then into an imitation first chamber of the legislature would be shunting it on to a wrong and devious track. It should not be saddled with responsibilities which would be foreign to its character and composition, nor turned aside from vital work which has to be done and which it alone, as an epitome of the people, is capable of doing."

So that is what the Seal Committee says. I may say for the information of the House that the Mysore Reform Scheme was sent for the opinion of that acute and eminent lawyer, Sir P. S. Sivaswami Aiyar who has expressed himself in unmistakable terms in the matter. His opinion is published in the issues of *New India* dated the 12th and the 13th September, 1923. That was about a month or two ago. He condemns very strongly a bicameral chamber in any Indian State. His opinion unmistakably is that it would be absolutely out of place and I believe that some members of this House have also expressed themselves that a bicameral chamber is unnecessary as it will be economically wasteful and politically unsound. If you keep away the theory of the bicameral legislature, then we have to confine ourselves to the unicameral legislature, *viz.*, the present legislature.



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[Mr. V. Subba Aiyar.]

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): I wish to ask Mr. Subba Aiyar if this House is a unicameral legislature.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): Yes. A bicameral legislature with the Representative Asssmbly of a statutory character as proposed in Mysore is, he says, an experiment for the first time of very great magnitude and will be watched with interest throughout India. It does not find a parallel anywhere in the world; and being a novel constitution deserves to be watched with very great interest. I got a copy of the *Gazette* only to-day. Before we pronounce any judgment upon it, we will have to see how it works.

Apart from that, there is the practical difficulty in adopting the amendment suggested by Mr. G. Paramesvaran Pillai, *viz.*, that every legislative programme placed before the House and sanctioned, every resolution approved by the House, should be binding upon the Government. I think that question has been sufficiently answered by Mr. Madhava Variar. How can it be binding upon an *irremovable executive*? So long as the executive is irremovable, the binding nature of the resolution is out of the question. But apart from that there is a likelihood of conflicts arising. Seal himself makes prominent mention about it. He fears that deadlocks and conflicts will arise and thinks that it would have been better if the Legislative Council had made a committee of the Mysore Assembly. The Assembly is to consist of 250 members and 10 per cent. of the members are to be returned by the Legislative Council. Therefore, the Legislative Council may be regarded as a committee of the Popular Assembly. But, in the absence of that, the report says that deadlocks and conflicts will be created and the best remedy to avoid the same will be not anything that he could possibly propose. But he says that he would leave it to the Government to develop conventions which would ultimately remove these deadlocks. So that, according to the committee's report, deadlocks cannot be removed by anything that they could recommend, but it could only be removed by the Government. I think that is rather a dangerous course. I think I need not speak further on that. I will only read some extracts from Sir Sivaswami Aiyar's opinion in the matter:

"If the spheres of influence of the Representative Assembly and the Legislative Council cover much the same ground, it is admitted that conflicts and deadlocks can only be avoided by providing for the growth of conventions and usages differentiating their respective functions and facilitating amicable settlements. I am afraid, however, that the possibility of conflicts and deadlocks has not been adequately obviated. Let us take, first, the case of legislation. In the case of all important measures of legislation which are included in the legislative programme of the year they are to be placed before the Assembly in the Dassara session, and the general principles of the bills discussed there. The view of the majority seems to have been that consultation and discussion must be followed by the formulation of definite issues and the ascertainment of opinion by votes. This is a course fraught with the danger of converting the opinions of the Assembly into mandates of a more or less binding character and would be inconsistent with the theory on which the Assembly was originally founded and which

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appears to be the correct one to maintain even under the new constitution. Supposing that the Assembly, as the result of a general discussion, decides against any particular legislative measure or against some particular provision, would it be open to the Government to introduce it in the Legislative Council? The answer is apparently to be found in paragraph 79 of the Committee's Report. They do not propose to make the opinion of the Assembly binding upon the Legislative Council and they would place the responsibility of accepting or rejecting the opinion of the Assembly on the shoulders of the Government. The course proposed has the serious disadvantage of placing the Government in a very invidious position. It is unwise to court the risk of friction with a popular body and is, in fact, calculated to create serious trouble. There are certain matters in which, in view of the backwardness of education and other causes, the Government have sometimes to introduce measures which may be somewhat in advance of the sentiments of the people, all the advantages of which they may not be able to appreciate. Take, for instance, a measure for compulsory vaccination or for compulsory education or for certain other sanitary measures, it may be possible for the Government to carry through such a legislation with the help of the *intelligentsia*, but such measure may be effectively blocked by the Assembly by the opposition of people professing to be armed with mandates from their constituencies. While it may be an advantage that legislation should not go ahead of the people, it cannot be affirmed that it is always so in countries circumstanced like the Indian States. Of the two courses of creating a body, purely and expressly for educative and representative purposes and creating a body with large powers of a vague and indefinite character and afterwards disappointing people's expectations by disregarding their opinions, the former is undoubtedly the wiser alternative.

The provision that taxation bills will also be placed before the Representative Assembly and that no new taxes will be levied without the previous consultation of the Representative Assembly is even more calculated to be a source of friction. If the Representative Assembly should decide against a new tax or an enhancement of subsisting tax by legislation, the Government will find it impossible to introduce the measure in the Legislative Council. There is no subject upon which it is more difficult to persuade the masses than the need for increased taxation. If, for instance, the choice were offered to the masses between an efficient system of drainage and water-supply and increased taxation, one can by no means be certain in this country that the popular vote will be in favour of the latter alternative. While it is a sound political maxim that there should be no taxation without the consent of the Legislature, it would be unwise to multiply the number of bodies whose initiative or concurrence is requisite for taxation. Either the Representative Assembly should be the law-making body, or should not be one. If it is to be the law-making body, it will naturally and unnecessarily claim the exclusive power to assent to or reject proposals for taxation. Even in a bicameral legislature, that chamber which is more popular in its composition will almost invariably claim, and succeed in acquiring, the sole power to initiate money bills. If, on the other hand, the Representative Assembly is not to be a law-making body, then let there be no pretence about it, and let them entertain no delusion that there is one, and put forward claims to decide upon measures of taxation.

The peculiar position which is proposed to be assigned to the Representative Assembly under the committee's report, *viz.*, the position of a body which is not a law-making one, but which is entitled to be consulted about measures of taxation, is one of unstable equilibrium and a sure source of friction and trouble. The right of consultation will always be translated into a duty of consultation, and the duty of consultation translated into a duty or expectation to follow advice. The attempt to discover a theoretical basis for the Assembly and ascribe to which the potentiality or embryonic character of an organ for initiative and referendum is rather likely to fill its mind with a larger sense of its powers than is really proposed to be given."

I have read a long extract from the opinion recorded by Sir Sivaswami Aiyar because I do not think that I could myself advance any stronger argument against the resolution or put it much more authoritatively than he has done. It is a crushing reply to the scheme adumbrated by the Seal Committee and that committee itself was not

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[President.]

in favour of that particular thing, because in the committee's report they say that the alternative proposals they would suggest have been ruled out by the announcement, and therefore they make that recommendation. But we are not in that predicament; no powers of moving resolutions or of discussing the general principles of bills or of agreeing to bills improving new taxation have been already given to the Assembly. If we take any step in that direction, it has to be done after very careful consideration. Otherwise, we will be in the very same difficulty as the Mysore Assembly was. If the distinguished President of the committee, a very great constitutional lawyer known all over the world, is of that opinion, and if Sir Sivaswamy Aiyar, a late member of the Executive Council, and late Advocate-General of Madras, one who has experience of more than one provincial council and of popular assemblies in other countries—if he is decidedly of that opinion, I think it would be a dangerous thing to decide that the Assembly should be given the powers that the mover of the resolution or the amendment wants.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): May I ask Mr. Subba Aiyar whether there will be any chance of conflict between the Legislative Council and the Assembly in case additional powers of interpellation and moving resolutions are granted to the Assembly only in respect of such matters as are prohibited in this Council?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): With reference to the question of interpellation, whether the subject takes the form of interpellation or not, it is discussed in the Assembly without the power of division.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): My question is, whether there will be any chance of conflict.

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): If it is restricted purely to matters not within the cognisance of this Council, is there any guarantee that the prohibitions and exceptions in Regulation II of 1097 will be removed in the case of the Assembly when it is made a statutory body? A body intended for the purpose of representation is allowed to discuss various other matters also. Once a statutory right is given, I do not think that that body will be allowed to exercise powers over prohibited matters as well.

MR. N. RAMAKRISHNA PILLAI (*Vaikam cum Ettumanur*): May I know what the view of the Government is in respect of the existence of the Popular Assembly?

MR. V. SUBBA AIYAR (*Additional Head Sirkar Vakil*): So far as that matter is concerned, the Government have absolutely no idea of abolishing it; they now want to conduct the Assembly as it is.

PRESIDENT: The House will now rise and meet again at 3-15.

The House adjourned for lunch at 2-32 P. M. and re-assembled at 3-17 P. M.

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MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Sir, with respect to the resolution and its amendment before the House, I wish to offer a few observations. First of all, this resolution and its amendment appear to have been put before the House at an immature stage. For, looking into the prior proceedings of this House, we see that the Government thought it fit to appoint a committee to go into the whole question of the rules relating to the Sri Mulam Popular Assembly. Accordingly, a few members were nominated by the Government and a few were elected by this Council. The committee was formed—

PRESIDENT: All the members were elected; there were no nominated members on it. The President alone was nominated.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Yes, the President alone was nominated. A number of members were elected by this Council and a committee was formed which held a few sittings. But owing to certain reasons, of which we have no official information, the members of the committee resigned their seats. The first question that strikes one in that connection is to ascertain the course of action that the Government have in their view with respect to their original idea of revising the rules, and to enquire if, in the place of the resigned members, the Government are going to appoint other members or call upon this Council to elect other members. Then there is still scope for further enquiry into the matter which was once resolved upon by the Government. In view of that question, I submit that the resolution as well as its amendment is before the House at an immature stage.

Passing on to the resolution and the amendment, we see that some forcible criticism was levelled against both of them. With respect to some of the speakers, they observed that they have been turning this question over in their mind for many months past and could not arrive at a satisfactory conclusion. One of such gentlemen was my friend Mr. Velu Pillai; and he closed his speech also saying that he was of an unsettled mind.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Nedumangad*): I said only with regard to the details of the scheme.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Exactly. My friend Mr. Mammen Mappillai also prefaced his remarks by saying that he was also in a vacillating mood with respect to the question now before the House. But, by the time he had concluded his speech, he appeared to be in a very definite position with respect to what he had to say on the question of the Sri Mulam Popular Assembly, since he said that it does not serve any useful purpose after the institution of this Council and that the Popular Assembly may therefore be added to the scrap heap. So, I am of opinion that it is rather difficult to decide the question in all its bearings and branches. But that does not preclude me from pointing out certain directions in which thought has to be bestowed on the important subject now before the House.

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[Mr. P. K. Narayana Pillai.]

The expression, 'Sri Mulam Popular Assembly', itself, I would point out, on a closer analysis may be seen to be a misnomer. For, it is an aseembly only in the sense that so many people come together and not in the sense that there is any concerted action among the members who are present on the occasion of the meeting of the Assembly. What the President of the Assembly does is simply to hear each representative on the occasion of the meeting. But with respect to the question of ascertaining the general sense of the House on any question, that is not the practice at all. So, it will be as good if the President instead of calling together a meeting—

PRESIDENT: The President may do it if he thinks fit under the present rules.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): The present rules are not passed as yet.

PRESIDENT: I mean the existing rules.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Under the existing rules, even if such a power is vested in the President, as I pointed out, the general sense of the meeting has never been ascertained, in the past, so far as I recollect. What is done is that upon topics of general interest and upon topics of a local nature they simply go on making their representations, elicit some answers immediately and some answers which promise the real answers at a future date. That is the usual working of the Assembly. That, I am submitting, is an unsatisfactory system; for, if it is only the intention of the Government to ascertain the views of each representative with respect to the representation he has to make upon a general question or a local subject, and if the representation of other members is not needed at all for the purpose of making such representation of any one particular member, why an assembly should be held passes understanding. So, under the existing circumstances, my humble sumbmission is that the Government are not taking as much advantage of the holding of an assembly as is possible, in view of the pains taken and the time spent over the whole question. That is the first criticism I have to offer with respect to the present working of the Sri Mulam Popular Assembly.

What exactly ought to be the further powers, if any, that may be given to the Sri Mulam Popular Assembly has been the subject of discussion. My friend, Mr. Subba Aiyar referred to the proceedings in Mysore and the opinion of a gentleman of the stamp of Sir Sivaswami Aiyar whose leanings elsewhere are more or less before the whole world. All these have been referred to for the purpose of combating the view that the additional powers pressed by the mover of the resolution and the amendment should not be granted to the Sri Mulam Popular Assembly. I would submit that I would keep aside the Seal Committee's Report, or for the matter of that, the opinion of Sir. Sivaswami Aiyar, valuable as each of them is. So far as the working of the Sri Mulam Popular Assembly goes, we are ourselves in a position to evolve a scheme

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in the direction of its further utility. Outside experience expressed upon a view of the future working of assemblies and corporate bodies, based upon experience gained from other institutions flourishing and functioning elsewhere, should not blind us to the possibilities of expanding the usefulness of an institution with which we are acquainted so much at close quarters. So, that kind of argument need not deter us from considering the question upon its merits.

As it is, the question was further raised by my friend Mr. T. K. Velu Pillai as to the relation that the Sri Mulam Popular Assembly should bear to this Council. He himself was particular that the Assembly should never be a hand-maid of this Council, whereas the mover of the amendment, Mr. G. Paramesvaran Pillai, practically hinted that it should be a hand-maid of this Council. Well, with respect to that aspect of the question, seeing that the Assembly meets only once a year, seeing further the fact that the Council has necessarily to meet at least three or four times in a year, and further, the closer contact that now subsists between the Council and the Government, it is only possible, so far as I could see, to subordinate the Assembly in a considerable degree to the Council itself. My reasons, further, are that any deliberations of the Council must necessarily carry greater weight, not only because it is a statutory body as at present, but because there is the possibility of a discussion between the treasury benches and the opposition in this Council, and the result arrived at after deliberate and pitched battle should necessarily carry greater weight. But, so far as the Sri Mulam Popular Assembly is concerned, the possibility of affording the Government an opportunity to defend themselves does not exist at present. As such, any expression of opinion, be it on an individual basis, or be it as the voice of a collective body representing the various centres in the State is entitled mainly to consideration—and serious consideration—and as such need not necessarily be elevated into the same effect and force as a resolution passed by this Council. That the necessity for such a consultative body as the Sri Mulam Popular Assembly is clearly conceded by the Government, is manifest to this Council. Sir, the very origin of the Sri Mulam Popular Assembly under the very able, noble and sympathetic guidance of Mr. V. P. Madhava Rao (*hear, hear*) has been to enable the Government to understand the popular views on many subjects unwarped by the influences of red-tapism or bureaucracy. It was for that purpose, that is to say, that the Government may have a direct and clear perception and the acquaintance of popular opinion and feeling upon any particular subject, that that noble statesman instituted the Popular Assembly. And, that it has been functioning with much benefit to the people and to the Government, is an undesirable fact. Such being the case, looking back upon the utility that has been gained from the institution of an assembly of that description, it will be very strange if the Government now come forward to say that it has survived the utility that once existed and that they may now dispense with its necessity. Such, certainly, is not the voice of the Government. I was very happy to listen to Mr. Subba

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[Mr. P. K. Narayana Pillai.]

Aiyar saying that he himself is not for the abolition of the Assembly. But some suggestions have been thrown out by some members on this side of the House – certainly, very honestly I believe—that the Assembly may be dispensed with. We have survived the stage of usefulness of the Assembly! Well, that indicates a lack of resourcefulness on the part of the Government as well as upon the non-official side to devise successful schemes for the development of institutions in course of time. I myself unfortunately am not in a position to subscribe to the view that we may dispense with the Sri Mulam Popular Assembly. As I submitted, the question itself has had a very immature consideration at the time it was submitted to this Council, so much so that I would persist for the maintenance of the Assembly and for its further development, trusting to the resourcefulness of the Government and the non-official members of this Council.

Certain suggestions have been made with respect to the line that this development may take. First of all, Mr Kunjitomman suggested that the franchise may be widened. That is a good idea no doubt; but how far it may be widened is one question and what ought to be the principle that should be kept in view in the matter of widening the franchise is another. Mr. Kunjitomman, though he proposed an irreducible minimum of one-rupee taxation as the qualification for a voter, ultimately went on to suggest that he would dispense with the property qualification totally. When I questioned him towards the close of his speech as to whether he would allow that the money collected by the Government from the tax-paying section of the population may be allowed to be controlled by the non-tax-paying section of the population, he was good enough to concede the fact that he was not of that opinion. So, a natural question comes to the forefront in that connection. It may be that many people may be paying one rupee tax. Some people may be paying one thousand or two thousand or even, as I have had occasion to notice, three thousand rupees as tax in their own name. Though, as was said by a revered professor of mine, all colours agree in the dark, in the electoral roll also, if one rupee qualification is the minimum, the men paying one rupee tax and those who pay ten thousand are treated as equals. The question is, if the Government are going to base the election of members in the Popular Assembly on a property-qualification, whether it would not be somewhat iniquitous to treat a man paying one rupee tax as equivalent to a man paying a thousand rupees tax. So, in lowering the franchise, which of course is only in keeping with democratic aspirations, we have to take the checking consideration into our mind, and see that, in spreading out, the franchise should not be in any way rendered iniquitous to any party concerned. That is one question that I have to refer to in this connection.

With respect to the power to move resolutions, to interpellate and to consider in a preliminary way the legislative measures to be introduced in this Council—these questions, I am sure, as my friend

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Mr. Paramesvaran Pillai himself will concede, require further consideration before they can be formulated into practical politics. There is one aspect of the question, that is to say, that we feel ourselves considerably handicapped with respect to subjects excluded from the cognisance of this Council. It is necessary, especially when there is a necessity to view the finance and the policy of the State as a whole, that all matters pertaining to State affairs must, somehow or other, be brought under discussion and under the consideration of the people. So far as we are concerned, we feel the dead weight of the restraints upon ourselves, and we cannot claim to have the Legislative Council Regulation or the rules framed thereunder to be repealed by ourselves.

Under these circumstances, I thought there was some justification for Mr. Paramesvaran Pillai's position to press upon the attention of the House the necessity that such powers must necessarily be lodged somewhere, and the only other place he could possibly think of was the Sri Mulam Popular Assembly. Hence, I think, his insistence that the powers of interpellation and moving resolutions and discussing legislative measures in a fair way should be lodged in the Sri Mulam Popular Assembly. That is the only spirit, I think, in which he is pressing that aspect of the matter.

As to duplication of work and other difficulties, nobody wants a duplication of work at all. Then, sympathetic reference was also made with respect to the condition of the nerves of Government officers, the expenditure, time and extra labour to which they are put, and the considerable uphill work and the sleepless nights that these gentlemen are obliged to undergo in connection with the work of the Legislative Council, and what we are going to add in connection with the work of the Sri Mulam Popular Assembly as well. So far as the Sri Mulam Popular Assembly itself is concerned, Sir, I have known the sort of work the Government officers do. First of all, it is a function occurring once in a year. So far as the Government officers are concerned, certainly some of the heads of departments come prepared with an amount of notes and all those things; but the general utility of such notes has not been experienced to be very great on past occasions. You, yourself, Sir, as the President of the Assembly returned on many an occasion sympathetic answers. But on certain other occasions you generally reserved the answers. That has been the experience. How the Government officers as a body right through the State—

PRESIDENT: Do you not think that one of the causes for reserving the answers is the indefiniteness or the want of previous notice?

MR. P. K. NARAYANA PILLAI (*Amba'apuzha*): Quite true; I conceive the indefiniteness with which the representations are first of all foreshadowed and probably the methods adopted at the time of discussing them also occasion answers being delayed. But to exaggerate the work of the Government in connection with that matter certainly is not entitled to much credit.



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[Mr. P. K. Narayana Pillai.]

Then, with respect to the sort of work here, why the non-official section of the House should concern itself with the nerves of the Government officers, I do not see. They are paid for it. Why the non-official should excite himself into sympathy with the official on this score—

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industries, North*): I said it was more due to the consideration that the work of the public service might suffer, in which the public have got a direct interest. It is not because I had any sympathy for the nerves of the officials. But indirectly I think the routine administration will suffer. There might be dislocation of work and delay in the work of daily administration.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): May I ask Mr. Mammen Mappillai if—

PRESIDENT: You cannot ask a member who is simply offering an explanation.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): I was of opinion that I could put a question when he was speaking.

PRESIDENT: I do not think so.

MR. P. K. NARAYANA PILLAI (*Amba'apuzha*): I have had the satisfaction of listening to the refreshing explanation given by Mr. Mammen Mappillai and I am glad that he has no sympathy for Government officers. (*Laughter.*)

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industries, North*): Neither want of sympathy.

PRESIDENT: A Government officer is also human, I suppose. (*Laughter.*)

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Well, so far as the people themselves are concerned, it is the people who want all these things to be done.

MR. K. C. MAMMEN MAPPILLAI (*Commerce and Industries, North*): Of whom I am one.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): Certainly, you are more than one. I am prepared to concede that even.

PRESIDENT: No asides, please.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): So far as the popular demand in connection with the working of these popular bodies is concerned, we have no business to concern ourselves with such minor side-issues. These considerations are insignificant. Sir, in view of the very substantial question that is now before the House, I would request the House to support the principle of the resolution and the amendment as well; and in that respect I support the resolution as well as the amendment.

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MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): May I ask Mr. Narayana Pillai whether he is in favour of a question relating to State Devaswoms being discussed in the Popular Assembly, although an arrangement is devised by which the opinion of the majority of the Assembly may be taken?

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): I am very glad to answer the question. I am not prepared to allow any discussion with respect to the Devaswoms or the policy of managing them. But with respect to the conduct of the agency that is now appointed, it is a subject to be legitimately discussed by this House as well.

MR. A. HOOGEWERF (*Nominated*): Sir, I do not wish to make a long speech, but I may say at once that it is my considered opinion that some forward move is necessary. The Sri Mulam Popular Assembly, as stated by Mr. Narayana Pillai, was brought into being by that wise statesman, Mr. V. P. Madhava Rao. It has served its good purpose in its own day. But on the top of that Assembly, the Council has been formed. Now, the question is, is it going to be only a talking body or is it going to be anything more substantial? But if it is only to be a talking body without any definite purpose, over and above this Council, I should say, we should do away with it. Mr. Paramesvaran Pillai and Mr. Kunjitomman put forward proposals and I do not think they claim any perfection to their suggestions. I do not think that we should accept everything that they have put forward. All that I say is that we want something substantial. I have nothing more to add than to repeat what I said, *viz.*, that, if we cannot mend it, we must end it.

MR. JOSEPH PANJIKARAN (*Shertallai*): I oppose both the resolution and the amendment, not because I have no sympathy with the spirit or the principles underlying the resolution and the amendment. The resolution, as it is stated, is to widen the franchise, and the amendment is to widen the powers of the Assembly. This demand is certainly in keeping with modern tendencies. Both these are intended to bring the people to share more and more in the Government; and in this age of democracy I do not think that there would be many who will say that such tendencies should be discouraged. The reason why I oppose the resolution is that, if I support it, I would be practically supporting the existence of two legislative bodies, one the Council, and the other the Assembly. In my opinion, Sir, when this Council was once brought into existence, it is no more necessary for the country to have an Assembly of the kind that is existing now. The question then is whether we should have the Assembly with widened powers. My question is, why not give widened powers to the Council instead of having the two bodies side by side with similar powers? There is a great apprehension current in the country that legislative measures are brought forward in this House not because conditions that necessitated such legislation in foreign countries do exist here, but because of the desire to imitate. The amendment is the outcome of the same desire to imitate. Because there is the House of Lords and the House of Commons in England and there are two representative bodies in Mysore,

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why should we not also try the experiment here? I do not think that there is much virtue in imitating the institutions and proceedings of other countries, unless a necessity for such a thing is made out. Of course, we have very great respect for the memories connected with the Assembly, and I also, along with my friend Mr. P. K. Narayana Pillai, express very great respect for the noble spirit of Mr. Madhava Rao that brought the Assembly into being. But the question is whether, if he were at the head of the administration now, he would have allowed the introduction of a bicameral system of legislature. My position is that we should do away with the Assembly or the Legislative Council, and should have only one legislative body, call it by any name you like. We should have only one body with the powers required for it.

So far as powers are concerned, certainly there are very many restrictions put on the Legislative Council as it exists, and it is highly necessary that its powers should be widened. If such powers can be given, and if they are to be given, I do not see the logic of saying that it must be given to the Assembly. Why not give them to this body itself?

The economic side of the question has also been very ably dealt with by some members. So, the reason why I oppose the resolution is not because I do not sympathise with the principle underlying it—I do really sympathise with it—but I do not for a moment see the necessity for giving statutory existence to or recognition by this House of the existence of the Assembly independently of this body and thus incurring the expenditure. So I oppose both the resolution and the amendment.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated*) (*Deputy President*) : I beg to oppose both the resolution and the amendment. Perhaps, a word of explanation is due from me with reference to the observation made by Mr. G. Parameswaran Pillai. I thought it would have been very much fairer if what transpired in a confidential conference were not utilised as an argument for pressing this proposition. That is as a matter of principle.

However, going to the merits of the proposition that was referred by the committee in their recommendation to the Government, there was a general expression of opinion that, in the judgment of the committee, the Assembly must be given the powers of moving resolutions, putting questions and of discussing the budget before it was placed before the Legislative Council. So far as the discussion of the budget itself is concerned, I personally think that the Sri Mulam Popular Assembly, being a larger popular body, would be in a position to give practical expression to real difficulties that are being experienced in the administration of fiscal enactments throughout the State very much more satisfactorily than even the Legislative Council itself. I certainly, Sir, do demand for this body a more trained habit of approaching important questions and offering constructive and critical observations of a very much better order, because this Council contains a much larger element of trained professional men.

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As regards the question of interpellations and resolutions, what I had at the back of my mind was not that the question was discussed in all its details or any definite conclusions reached. It was not necessary for the purpose of sending up that letter to the Government to ascertain the scope of the reference. What I had at the back of my mind was that apparently certain functions were exercised by the Sri Mulam Popular Assembly, which were definitely excluded from the purview of the Legislative Council. No doubt, the Draft Rules which were published by Government and which the committee were called upon to revise embodied the very same limitations which are embodied in the Legislative Council statute itself. If there would be a general agreement amongst the members of the committee as to removing some of the restrictions newly imposed on the Assembly and the Government would also agree to the recommendation, I think some provision might be made for making interpellations and moving resolutions. I had thought, Sir, at the time that, if the Draft Rules were adopted with modifications, the scope of business and the volume of work to be transacted in the Assembly would be considerably reduced and there would not be any unnecessary demand on the resources of the Government for the conduct of the Sri Mulam Popular Assembly itself.

These are the lines on which I view the question. I take my present stand on a very much higher ground. With respect to the important question of reform of the Assembly, I believe I am not estopped from revising my own judgment in the light of the discussion that has taken place in this House. I do believe, Sir, that if the principles embodied in the amendment are to be accepted, vague and unsatisfactory as they are, it necessarily implies the creation of a bicameral legislature. In spite of a disclaimer by Mr. G. Paramesvaran Pillai the logical result of that would be the creation of a bicameral legislature. No doubt, it exists in some parts of the world where it is difficult to get rid of an institution that came into existence in years gone by. But the opinion of constitutional lawyers—at any rate, the general consensus of opinion of constitutional lawyers—on the question of a bicameral chamber is that it is a costly institution which would be of no practical utility and an intolerable nuisance. That is the light in which bicameral legislatures are viewed by modern constitutional lawyers; and in a small State like Travancore a second chamber in the form of the Sri Mulam Popular Assembly is certainly very undesirable and unnecessary. I therefore oppose both the amendment and the resolution.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Sir, I rise to offer a few observations upon this important subject. The opponents of the amendment may be divided into two classes. One class considers the Sri Mulam Popular Assembly as having lost its legitimate function by the creation of the reformed Legislative Council and argues that it has now become a functionless inane body, something like an unserviceable horse which deserves only to be shot and buried. There is another

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class of people who think that the Popular Assembly has not become useless but that it should be retained and must be reformed on certain lines. But what those lines of reforms should be, they are not clear about. I am very glad to find that Mr. Subba Aiyar, speaking on behalf of the Government, did not agree with the first class of critics who think that the Assembly has become useless and should be abolished; but he is definitely of opinion that the Assembly should be retained, as it has got a function—a really useful function—to perform. The question, therefore, is as to how the Assembly should be reformed.

MR. JOSEPH PANJIKARAN (*Shertallai*): I wish to know whether Mr. Subba Aiyar did say that the Assembly should be retained.

PRESIDENT: He will make it clear in his reply.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): So far as practical politics is concerned, the Assembly is to be retained. It has got a definite function to perform. In that view of the matter, it is unnecessary to consider whether it is functionless and whether it should exist any longer. Assuming that the Assembly should be retained, a further question remains, *viz.*, whether it should remain as a body of petition-mongers as at present or whether there is scope for reforming it and making it more useful to the public at large. In regard to this matter, Mr. Subba Aiyar is not so sure that there is scope for any reform or improvement at all. On the other hand, it appears to me that the Government did not always think so. Time was when the Government thought that the Assembly was capable of being reformed for the purpose of making it more and more useful. Sir P. Rajagopalachari, the late Dewan of Travancore, said, in concluding the fifth session of the Sri Mulam Popular Assembly:

"Travancore had in this Assembly an institution which, with judicious development, might be made most useful for purposes of good government."

Therefore, in the words of Sir P. Rajagopalachari, the institution was capable of judicious development and such development is capable of being made useful for the purpose of good government. Now, the present Government also thought that the Assembly was capable of further development and reform. Therefore it was that they wanted to revise the rules of the Sri Mulam Popular Assembly by enlarging the franchise and giving certain new powers to it.

PRESIDENT: I do not think you are quite accurate, except with regard to franchise. The Government proceedings no doubt refer to the widening of the franchise. As for widening the functions, I do not think that there is any such explicit statement in the proceedings.

MR. K. PARAMESVARAN PILLAI (*Tiruvalla*): Anyhow what I submit is there is a lurking idea that the Assembly deserves some kind of development, although on what lines the Government

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themselves have not yet made up their minds. If that is so, the question arises, what are the lines upon which the Assembly should be reformed ? Certain lines have been suggested in the resolution and in the amendment. They are certainly not exhaustive, nor the final and the last word on the subject. They are only certain lines upon which the reform of the Popular Assembly has been suggested. Now, let us consider some of the lines and see whether they are practicable, and whether they are demanded by the circumstances of the time.

In the first place, it is said that the Assembly should be made a statutory body. It is said that it is only a creature of the executive. It has been in existence for so long a time and has been doing useful work even according to the Government ; and therefore it is asked, why should it be given a statutory position ? My answer is this. So long as the Assembly remains the creature of the executive, it can do whatever it likes with it without consulting the people or the popular wishes ; and in fact, the executive has so dealt with certain privileges of the Assembly. In the year 1082, during the Dewanship of Mr. Gopalachariar, it was seriously suspected that the Government entertained the idea of abolishing the Sri Mulam Popular Assembly altogether. Then there was a great agitation against the idea, and finally, although not at the time fixed for the Assembly, Government thought it fit to hold the Assembly and not to abolish it. Further, when the Government revised the rules of the Assembly, they were so revised as to curtail the rights of the members. This is summarised in the memorandum submitted by the majority of the members of the Committee.

"The departure of Mr. V. P. Madhava Rao whose name will ever be gratefully cherished by the people in connection with the Assembly, even threatened to drag the infant institution into an untimely grave, but the parental solicitude of the sovereign came to the rescue and the worst that happened was only the postponement of the third session from October 1906 to January 1907. It was, however, left to the penultimate Dewan to fetter the institution with an elaborate set of rules affecting the privilege of voters and members and circumscribing the nature and scope of the representations. It is, however, due to Dewan Bahadur (now Sir) P. Rajagopalachari to say that he intended to exercise the disciplinary and other powers vested in him only in very exceptional circumstances."

I also remember that in the guise of revising the rules of the Assembly certain persons who were once enfranchised were subsequently disfranchised and made incapable of voting at the election of the Popular Assembly and of being returned as members. I may instance the case of graduates. As originally drafted, the rules of the Assembly gave franchise to all graduates irrespective of their standing. Subsequently, for very well-known reasons which I now need not disclose, that franchise was taken away. Graduates of ten years' standing alone were given the privilege. In this way the revision was begun. Instead of enlarging the scope of the Assembly and widening the franchise, the rules were always revised with a view to curtail the rights and powers and privileges of the people. Therefore we want that the Assembly, which has been in existence for so long a time and which even according to Mr. Subba Aiyar has been doing such good work, should be removed from the control of

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the executive and given a statutory basis, so that the executive may not be able to tamper with its rights and privileges. There is also another reason. There is no political status now assigned to it. It must be given a definite place in the constitution of the State. For these reasons, I think the demand that it should be recognised as a statutory body has very great force.

Then, with regard to the powers of interpellation and general discussion of the budget and the moving of resolutions. Of course, as has already been pointed out, the committee appointed by the Government for revising the Draft Rules of the Assembly were unanimously of opinion that the Assembly should be invested with these powers. And representations to that effect have also been submitted to the Government. The other powers that are now sought to be vested in the Assembly are the right of being consulted in the case of the imposition of new taxes and also the enhancement of the existing taxes as well as in regard to the principles of legislative enactments before they are introduced into the Legislative Council. These powers, if granted, it is apprehended, might convert the Assembly into a second chamber. They want to call it a bicameral system and then condemn it. This is like giving a dog a bad name and hanging it. Now even if it is called bicameral I would not be frightened by the name, so long as you give a *definite* constitution to the Assembly and place it on a statutory basis and we know what its powers and functions are. I submit that because you call it a bicameral chamber it does not detract from the value of the constitution or make it any more difficult than if a really bicameral system was introduced in the State. Secondly, it appears to me that the vesting of the Assembly with all these powers does not convert it into a bicameral system. I would refer here to the very same Seal Committee's Report—I suppose it is not confidential—referred to by Mr. Subba Aiyar which says as follows :—

"The Representative Assembly, as it stands, can be made to serve a vital political need to be strongly felt in most countries under representative government to-day. The constituted central legislatures in such Governments (taking both Houses together) are filled in great part by representatives who come in by a secondary or a tertiary election or who are thrice removed from the spheres and interests of life they legislate upon or whose composition does not even fairly reflect the actual balance of social forces in the country. Owing to these inherent disadvantages of representative government by majorities (which can hardly be redressed by any scheme of proportional representation) it happens that direct action by primary interest groups (or function groups) in various spheres of life comes into the arena, the more so as the usual representation is only territorial, and ignores the more natural groups of social composition—a defect which, it will be seen, has been sought to be corrected in the scheme of representation suggested for the Mysore Legislative Council. It is also unfortunately the case that, as such direct action has not been regularised (or constitutionalised) it is always revolutionary in character and set up in opposition to the Parliamentary Government or other constituted authority. Wisdom, then, under the rule of representative government by majorities,—even with such redress as proportional representation may give—would provide for some regular referendum, obligatory in certain defined cases, or facultative (optional) in others as under the Swiss Constitution. The Representative Assembly in the State certainly does not answer to the purposes of referendum, but so far as the Assembly is an epitome of the

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people, a meeting place of delegates of various groups and associations working on the principle of direct action and bound by natural ties or interests, so far again as the delegates bear mandates regarding subjects of discussion, if not also regarding their representation to the government, there is much that is common to the Representative Assembly and the working of the referendum. In fact, with some changes, this Assembly can be made to serve, however informally and rudimentarily, two important ends, *viz.*, the initiative and the referendum, which are such useful supplements and correctives to the machinery of formal constitutional representation. The delegates in centuries—say two or three hundred—should come from the primary assemblies and groups which constitute the body of the people and work by direct action in the sphere of their daily lives and interests. They should bear mandates regarding the people's wants, desires and grievances which the Assembly may formulate for the purposes of an initiative to the legislature. They should be consulted in all important legislative measures, and the general principles of all bills (including bills of taxation) should be referred to them and their views ascertained. They should discuss the budget on general lines. And, finally, they may also bring mandates regarding matters which have been referred to the people by the Government or the legislature, especially in the case of bills touching closely and directly the people's daily life. Such functions the Representative Assembly properly composed and developed can very usefully discharge. In the constitutional changes now announced, with true political vision and foresight, has the opportunity been seized of serving the people by methods which are more direct and intimate, in their bearings on the life of the folk, than the political machinery of the orthodox Parliamentary pattern."

So that, these powers of being consulted in regard to matters of taxation and legislation and giving them initiative in certain matters would not convert the Assembly into a second chamber, and thereby the evils of the bicameral system will not be felt by the constitution. So they have now recommended, even with the idea that the bicameral system would not suit Mysore, that the Representative Assembly should have powers of interpellation, budget discussion, of moving resolutions, and of being consulted in matters of taxation and of legislation. If this is so, I can say that there is absolutely no reason why we should not invest our Assembly with those powers and privileges and make it a more useful body instead of retaining it as a body with practically no useful function to perform and allowing it to remain as a body of petitioners and looked upon by the people with not so much of respect and confidence as it deserves. For these reasons, I support the proposition and the amendment.

PRESIDENT: I suppose Mr. G. Parameswaran Pillai would like to make a few remarks.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I would like, with your permission, to reply to some of the observations made in the course of the debate.

PRESIDENT: Very well, you may.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I am glad that the object of my amendment has been primarily achieved. My object was to elicit the opinion of Government as well as of the non-official gentlemen on this side of the House in regard to this most important question relating to the reconstitution of the Sri Mulam Popular Assembly. As has been observed by my friend Mr. K. Parameswaran Pillai, the criticisms in respect of my amendment my be classified into two. There is one set of opinion that the Assembly itself does not



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[Mr. G. Paramesvaran Pillai.]

serve any useful purpose after the constitution of this Council and that it may therefore be dispensed with. The other view is that, if all the functions proposed are granted to the Assembly, it would practically be an unnecessary duplication, creating a bicameral legislature, which is after all not worthy of being accepted in a small State like Travancore. In regard to the first class of critics I have only one answer to make, and that is this: Let them recall to their minds what exactly are the powers that they are entitled to exercise at present under the Legislative Council Regulation. What are their powers in relation to the various subjects that are excluded from the cognizance of this Council? I hope even they will concede that the subjects that are excluded are all of the most vital importance—much more important in certain cases than subjects which we are at liberty to discuss in this Council. In regard to these matters, where is the institution, I ask, where is the popular institution where we can ventilate our grievances, where we can express our own views for the prompt attention or at least the kind consideration of Government? If the Assembly—at present there is only the Assembly for us and if the Assembly itself is to be dispensed with, I do not know where we can ventilate those grievances. It is argued that this Council may be given those powers. I fully appreciate that sentiment. Unfortunately for me, in moving an amendment of this nature, I had to choose the only course left open to me. What is the procedure that I, as a member of this Council, can adopt to elicit an answer from the Government as to whether they will be prepared to treat the amendment as an amendment to the Legislative Council Regulation so as to include these excluded subjects in respect of which we deem it necessary that we should be given the privilege of discussion? I cannotsmove an amendment of that nature, and I cannot bring forward a motion in respect of that matter independently, because the Legislative Council Regulation prohibits it. The only way in which I could proceed is by requesting the Government to invest the Assembly with these powers. If I make a request of that nature I am within the ambits of law and procedure. Whether that request is accepted or not, the principle will be discussed and I may have an opportunity of placing my case before the Government. There will also be an opportunity for this House to discuss and record its opinion. I should not, therefore, be misunderstood as I find that I am.

It is not contended by me that the bicameral system of legislature is absolutely necessary or even needed for this country. I never discussed the merits of that system. The very object of my resolution, as has been rightly pointed out by my friend Mr. K. Paramesvaran Pillai, is to emphasise the necessity for further reform in one direction or another. There is a direction that I can think of in regard to the Legislative Council. I cannot however, discuss it here. Then, if I make the request "Let us have these subjects included in the Assembly so that we might discuss them there", then there will come an answer: "It is sufficient if the Council is enlarged".

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We did not get that answer. I expected Mr. Subba Aiyar to tell us whether the powers of this Council would be widened and these excluded subjects would be left open to us, or whether the Assembly would be so liberalised that we would have ample opportunities and facilities there for actual discussion of such very important matters. In so far as that matter is concerned, Mr. Subba Aiyar was kind enough only to concede that Government did not intend to do away with the Assembly. I would request him to consider the question especially in the light of the observations made by you, Sir, in the course of the debate that the power to divide the House is even now with the President of the Assembly. The President, if he chooses, *may* ascertain the opinion of the House in regard to all matters under representation before that House. Then I ask, where is the objection in also accepting my humble suggestion, *viz.*, instead of leaving the discretion to the Chair, let us have it as a rule that in regard to important matters when they are discussed in the Assembly– at least such matters as are excluded from the cognisance of this Council – when representations in the form of resolutions are moved in the Assembly, they may be discussed and that the Assembly may be asked to divide in order that the Government may ascertain the wishes of the House.

It was also suggested during the course of the debate that the President of the Assembly was unable to give definite and proper answers to representations made because of the vagueness of the representations made and of the indefiniteness of the subjects dealt with. This is one of the means whereby such a faulty system can at once be remedied, whereby the President can insist upon the members to bring particular resolutions in a definite form so that the House and the Government may also be able to understand it and make a pronouncement on the question. As it is, my purpose is to amplify the power already in the hands of the President. It will give an opportunity to the members as well as to the Government to proceed on definite lines in regard to the matters placed before the Assembly. I would also submit that, if such powers are granted to the Assembly in regard to at least these excluded subjects, there cannot be any serious risk. There is no case whatever made out on the other side to disqualify the Assembly from getting that power at least.

My friends' objections were mainly—not only Mr. Subba Aiyar but also some of my friends on this side of the House said so—that there would be chances of conflict. I can surely say that there will be no such chance of conflict in respect of those matters which are altogether beyond the scope of this Council.

MR. T. K. VELU PILLAI (*Trivandrum cum Nedumangad*): I want to understand his position. May I know what is the constitutional position according to him of this Legislative Council, the scope of whose activities is restricted by statute, with regard to subjects which he proposes to entrust to the Assembly on the strength of the recommendations made by this Council?

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[Mr. G. Parameswaran Pillai.]

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): I do not understand him. I have sa id something else. I was dealing with the powers to be vested in the Assembly in respect of matters which are beyond the scope of this Council. In regard to other matters, I will come to them presently. In regard to matters which are already within the cognisance of this Council, what is the nature of the powers which you will give the Assembly, is the next reasonable question. In an index for point, I rely upon the good sense and the discretion of the members of the Assembly. I do not think the members of the Assembly, the popular representatives, are any way behind the members of this Council. They are equally competent and perhaps in certain respects more competent and probably are more representative of the people than many of us in this Council. I do not think that they themselves will waste the time of their own or of the Government by putting questions, or by moving resolutions on matters which have been already threshed out in this Council or fully answered by this Council. I think they would exercise reasonable discretion in not duplicating or overlapping functions. I am able to draw this presumption from the past which I have been able to observe, namely that repetition is not at all indulged in whenever it can be avoided. It is only when by repetition alone they can gain a point that the members in the Assembly repeat things. So then, I have discussed that one aspect with your permission. Being an important matter, I want some more time.

PRESIDENT: All right. You may take some more time.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): In regard to the other side, *viz.*, that there will result a bicameral system of legislature, I have only one answer to make. There again, I have been gravely misunderstood. I never put forward any plea for the creation of the bicameral system. None of the clauses in my amendment imply a bicameral legislature. Mr. Krishna Aiyangar said that, in spite of my disclaimer to the contrary, it would nevertheless be a bicameral legislature that will be created. With some knowledge of history and political science which I have been able to obtain, I am not convinced that my disclaimer is erroneous. When I asked for an extension of powers to the popular chamber, I asked for those powers reflecting the opinion of the masses as discussed or disclosed by the delegates sent up by a very vast electorate. By merely disclosing or reflecting public opinion in regard to certain matters without the further function of formulating and legislating, I do not consider that body would become a legislative body. The legislative and formulative functions will certainly vest not in the Assembly, but in the Legislative Council proper, and I consider that it is absolutely essential in the nature of the country and the nature of the constitution of this Council in its present state that such an institution ought to exist. The constitution of this Council, Sir,—I am not going to deal with the provisions of the Council Regulation, but I say that it is my conviction that the constitution of the Council—does not correspond to

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the wide popular chamber, I mean a popular chamber widely representative of the people, especially the rural classes. The number of seats based on territorial basis here is less than the majority of the total number of seats in the Council. Twenty-three form the number of members returned on territorial basis. I consider any popular body to be really representative of the interests of the masses only in case there is a preponderance of majority in regard to members, who really represent the rural classes on a territorial footing. As rightly observed by Mr. Krishna Aiyangar, we here are composed mainly of trained professional men who are at least by one degree removed from the ordinary masses.

In regard to the Popular Assembly, my friend Mr. Krishna Aiyangar said that there might be chances of questions relating to fiscal matters such as taxation and finance, being more satisfactorily dealt with from the point of view of the actual tax-payer in the Assembly than in a Council of this constitution. I fully agree, and that is my justification for asking for such an Assembly to exist in order that it may really reflect what the people feel on matters of such importance. I submit therefore that there can arise no conflict in regard to the functions exercised by a popular chamber of that nature and a legislative body of this type. It is, therefore, my submission that I should not be misunderstood as suggesting the introduction of a bicameral legislature in the sense in which it exists in England or in British India, as the House of Lords and the House of Commons or as the Council of State and the Legislative Assembly. It is not my idea that we should have two legislative bodies to exercise powers concurrently.

I would also submit, before I close, one more point, Sir. I said there were certain subjects which are excluded from the province of this Council. Where is the opportunity for us to express our opinion in regard to such legislative measures which are passed independently of this Council? I say, let us have popular chambers which may be consulted at least on general principles. The reasons which perhaps weighed with the Government in taking away these functions and powers from this Council may perhaps hold good in the case of the Popular Assembly but there is this safeguard so far as the Government are concerned. The Assembly does not legislate and you do not get its sanction in regard to those measures. I ask my non-official friends whether, after all, it is a crime to institute such a chamber which will be consulted in regard to measures which will certainly be open to them to discuss before they are passed into law. I have only to submit that, in regard to the several criticisms that were advanced on this side of the House, they really arise out of a misunderstanding of the entire subject; and so far as my friend Mr. Velu Pillai is concerned, I must observe that he said that he was fully in favour of very much larger powers being conferred upon the Assembly and that he had been contending for the same in successive sessions of the Assembly. He said that these powers which I suggest would not certainly be acceptable though he was not prepared to give any indication of the parti-

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[Mr. Tariatu Kunjitomman.]

cular lines of reform at the back of his mind, for the simple reason that he has not framed any definite scheme on the point.

MR. T. K. VELU PILLAI (*Trivandrum* cum *Neduvangad*): All that I said was that I did not come prepared with a formulated scheme. I have bestowed some attention on the subject and I may refer my friend to page 193 of the authorised report of the proceedings of the Sri Mulam Popular Assembly of 1097. I did not give a scheme on the spur of the moment because I thought it would be rash. I merely argued that the resolution, as it is, cannot be accepted.

MR. G. PARAMESVARAN PILLAI (*Neyyattinkara*): My only request, Sir, in conclusion, is that we expect to have the benefit of a really progressive scheme to be formally discussed and accepted by this Council at a very early date, either from my friend Mr. Velu Pillai, or from somebody else in this House. With these observations. Sir, I beg to commend my amendment for the acceptance of the House.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha*): എന്റെ പ്രമേയം പ്രജാസഭയുടെ പൊതുജനപ്രാതിനിധ്യത്തെയും പ്രയോജനത്തെയും വർദ്ധിപ്പിക്കത്തക്കവണ്ണം വോട്ടവകാശം നികുതി സംബന്ധിച്ച ഒരു ക്രമപ്രായമായി കുറയ്ക്കണമെന്നും ചോദ്യങ്ങൾ ചോദിക്കുന്നതിനും പ്രമേയങ്ങൾ അവതരിപ്പിക്കുന്നതിനും അവകാശം നല്കണമെന്നുമാണല്ലോ. എന്നാൽ പ്രമേയത്തിലെ വോട്ടവകാശം സംബന്ധിച്ച ഭാഗത്തെ ചിലർ തെറ്റിദ്ധരിച്ചു എന്നു ഞാൻ വിചാരിക്കുന്നു. ഒരു ക്രമപ്രകാരം കൊടുക്കുന്നവർക്കും വോട്ടവകാശം കൊടുക്കണമെന്നു പറഞ്ഞതുകൊണ്ട് ഇപ്പോൾ ഉന്നതപരീക്ഷാവിജയികൾക്കും ഒരു ക്ലിപ്തസംഖ്യ വരുമാനമുള്ളവർക്കും ഉള്ള വോട്ടവകാശത്തെ എടുത്തുകളയണമെന്നോ ഒരു ക്രമപ്രായത്തിൽ കുറഞ്ഞ കരംതീരുവയുള്ളവർക്കും പുതിയ വോട്ടവകാശം കൊടുക്കാൻ പാടില്ലെന്നോ ഞാൻ അർത്ഥമാക്കീട്ടില്ല. കരം ഇല്ലാത്തവരുടെ പേർവിവരം ഗവർൺമെന്റിലില്ലല്ലോ. അതുകൊണ്ട് അവരെ വോട്ടറന്മാരായി ക്ഷണിക്കുന്നതിനോ അവരുടെ പേർപ്രസിദ്ധപ്പെടുത്തുന്നതിനോ പ്രയാസമുണ്ട്. അതുകൊണ്ടാണ് കരം സംബന്ധിച്ച ഒരു വ്യവസ്ഥ വേണമെന്നു വിചാരിച്ച് ഒരു ക്രമപ്രകാരം നിശ്ചയിച്ചതു്. അങ്ങനെയല്ലെങ്കിൽ ഓരോ നിയോജകമണ്ഡലത്തിലേയും വോട്ടറന്മാരുടെ പേരുവിവരം അറിയാൻ നിവൃത്തിയില്ല. ഇപ്പോൾ പ്രജാസഭാവോട്ടറന്മാർക്കെല്ലാം താലൂക്കിൽ നിന്നും എഴുത്തുകൾ അയയ്ക്കുകയാണ് ചെയ്യുന്നതു്. അതുകൊണ്ടാണ് ഞാൻ കരത്തെ അടിസ്ഥാനപ്പെടുത്തി സംസാരിച്ചതു്. എന്റെ സ്നേഹിതന്മാരിൽ പലർക്കും വോട്ടവകാശം ഒരു ക്രമപ്രകാരമായി കുറയ്ക്കുന്നതിൽ

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അനുകൂലാഭിപ്രായമില്ലെന്നു കാണുന്നു. വോട്ടവകാശം ഭേദപ്പെടുത്താത്ത പക്ഷം സഭയ്ക്കു ക്രൂരതലധികാരം ആവശ്യമില്ലെന്നാണ് എന്റെ അഭിപ്രായം. എന്തെന്നാൽ കരം കുറഞ്ഞ പൊതുജനങ്ങളെ നിയന്ത്രിക്കുവാൻ ക്രൂരതൽ കരം തീരുവയുള്ളവരായിരുന്നാലും അല്പപക്ഷക്കാരായ പ്രഭുക്കളുടെ പ്രതിനിധികൾക്കു അധികാരം നല്കുന്നതു നന്നല്ല.

എന്റെ പ്രമേയത്തെ അധികം അളുകളും അനുകൂലിക്കുന്ന ലക്ഷണം കാണുന്നില്ല. എങ്കിലും ഇതു് ഇവിടെ പ്രസ്താപിച്ചതുകൊണ്ടു് എന്റെ ഒരു കടമയാണ്. അതു ഞാൻ നിർവഹിച്ചിരിക്കുന്നു. എന്റെ പ്രമേയത്തെ അധികം ആളുകൾ അനുകൂലിക്കാത്തതുകൊണ്ടു് ഇതു വോട്ടിനിടണമെന്നു വിചാരിക്കുന്നില്ല. പ്രമേയം പിൻവലിച്ചിരിക്കുന്നു.

PRESIDENT: If he withdraws the resolution, I think the amendment also falls.

MR. P. K. NARAYANA PILLAI (*Ambalapuzha*): When there is an amendment to the resolution, is it open to the mover of the resolution to withdraw without the permission of the mover of the amendment?

PRESIDENT: The mover of the amendment is one of the members of this House. If he likes he may object to the withdrawal, and have the question put to the vote.

The resolution was, by leave, withdrawn.

PRESIDENT: If the House has no objection, the session may now be adjourned. We have only fifteen minutes more. If we take up the next resolution, I believe, it may take at least an hour. I should like to know the opinion of the House.

The Council adjourned at 4-45 P. M.

S. PARAMESVARA AIYAR,
*Secretary to the Legislative Council.*

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